

1       **Hearing Day Two**  
2       **New Brunswick Power**  
3       **Nuclear Corporation:**  
4       **Application for the renewal**  
5       **Of its licence to operate the**  
6       **Point Lepreau Nuclear**  
7       **Generating Station**

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9                   **MR. HAY:** Thank you. Good morning, Mr.  
10       Chair, and Members of the Commission. For the record, my  
11       name is David Hay and I am the President and CEO of the NB  
12       Power Group of Companies.

13                   I am very pleased to be here today to  
14       support our application for the renewal of the operating  
15       licence for Point Lepreau Generating Station.

16                   I would like to take a moment to introduce  
17       Mr. Derek Burney who is with us here today sitting in the  
18       front row. Mr. Burney is our Chairman of our Board and I  
19       would like to thank Mr. Burney for taking time out from  
20       his very busy time to come here to demonstrate the  
21       complete alignment of the Board with management on this  
22       very important project.

23                   In addition, we have a Board Member in  
24       Saint John, Mr. Jean-Marc Laviolette who is attending to  
25       show that same support.

1                   I want to take this opportunity to again  
2 confirm to you the understanding and commitment of our  
3 Board and Executive to the safe and reliable operation of  
4 Point Lepreau Generating Station. It's a responsibility  
5 that we understand and take very seriously from the top  
6 right down to the shop floor. We are focussed on our  
7 responsibility. We are committed to safe and reliable  
8 operation of Point Lepreau Generating Station.

9                   Our Board will ensure that both our  
10 physical plant and our people are capable of meeting that  
11 goal.

12                   I will now turn the presentation over to  
13 Gaetan Thomas, our Vice President of our Nuclear Business.

14                   **MR. THOMAS:** Good morning, Mr. Chair and  
15 Members of the Commission. For the record, my name is  
16 Gaetan Thomas and I am the Vice-President of NB Power  
17 Nuclear. Also present today, speaking on behalf of NB  
18 Power Nuclear, are Mr. Joe McCarthy, Station Manager and  
19 Mr. Rod Eagles, Director of the Refurbishment Project.

20                   The written supplemental material submitted  
21 with this presentation forms a part of this oral  
22 presentation. We are here today to support our  
23 application to renew the Point Lepreau Generation  
24 Station's power reactor operating licence.

25                   We would like to acknowledge the

1 intervenors participating both here, in Ottawa and at the  
2 Delta Hotel in Saint John. We are glad to be here to  
3 listen to your interventions.

4 Thank you for taking time to participate in  
5 the licensing process. I will now turn to Joe McCarthy,  
6 our Station Manager, to begin our presentation.

7 **MR. McCARTHY:** Good morning, Mr. Chair, and  
8 other members of the Commission. For the record, my name  
9 is Joe McCarthy and I am the Station Manager at the Pointe  
10 Lepreau Generating Station.

11 We are here today to present supplemental  
12 information intended to answer questions posed by the  
13 Commission at the Day One hearing in February,  
14 specifically about our public information system, how  
15 hours of work are calculated, details of fire fighter  
16 security clearance. Security is referenced in the slide  
17 that I'm going to talk about here, but the specifics were  
18 addressed in written correspondence. However, we are  
19 ready to answer any questions about security issues in  
20 camera, if required.

21 On the public information perspective, the  
22 Public Information Program was chosen to address the  
23 diverse needs of our various stakeholders. The Public  
24 Information Program for the station and refurbishment  
25 project is designed to: address public and regulatory

1 requirements; proactively build confidence in the  
2 station's operation and project while managing  
3 expectations; maintain an information flow to internal and  
4 external audiences; maintain a documented record of all  
5 stakeholder and public contact; fulfil the commitments  
6 made in the Environmental Assessment Follow-Up Program;  
7 manage and respond to comments, questions and concerns  
8 expressed by the target audiences.

9           The Public Information Program is targeted  
10 at diverse audiences, as I have said earlier. To  
11 effectively reach these audiences, a selection of  
12 communication methods and vehicles are used. These  
13 include: consultation with our Community Relations  
14 Committee -- you can see on the slide -- the general  
15 public, key stakeholders, First Nations, employees, media  
16 and unions.

17           We invite our communities and public to  
18 general information sessions and support community events  
19 such as Fundy Fisherman's Day and also we support many of  
20 the local school activities that our local school engages  
21 in.

22           Public relations and information products  
23 include: the NB Power nuclear section of the corporate  
24 website; refurbishment project website; toll-free project  
25 information line; media relations; media relations, speech

1 or stories, et cetera; updates and significant project or  
2 operating milestones; community newsletters; community  
3 liaison committee meetings hosted quarterly; general  
4 information and stakeholder sessions; government  
5 briefings; speaking opportunities such as at school,  
6 universities, colleges and so on; and corporate  
7 publications such as annual reports, environmental  
8 reports, plus our website.

9 NB Power enjoys very strong support from  
10 the local community and the general public in New  
11 Brunswick. This is gauged by surveys and research. The  
12 table in this slide is a summary of public perception  
13 survey results based on input from 600 adult New  
14 Brunswickers selected at random. Generally speaking, the  
15 results show New Brunswick understands the value of Point  
16 Lepreau and that they want to be informed.

17 The next slide I want to show is specific  
18 to a question that was asked, or a clarification required  
19 from Day One, and this was on exceedances of hours worked  
20 in accordance with our in-house policies and practices.

21 The slide shows the hours of work  
22 exceedances between 2000 and 2005. The first line shows  
23 that which was reported on page 12 of CMD 06-H4. The  
24 second line shows the validated data for exceedances of  
25 the hours of work policy. The initial data is attributed

1 to the lack of formality in the reporting process between  
2 2000 and 2003 and, as a result, what caused the problem  
3 was some of the time codes that should have been deducted  
4 from the hours of work were not done and, as a consequence  
5 we artificially reported high numbers of exceedances, as  
6 shown in line 1, but when we go back and follow our  
7 process as intended, you will see that the numbers are  
8 significantly less than what was originally reported in  
9 the CMD referenced in this particular slide.

10 At that Day One hearing I was asked a  
11 question about emergency responders and security  
12 clearance. NB Power does not currently conduct security  
13 checks for offsite emergency responders, i.e. fire  
14 fighters, ambulance and police. However, we do have  
15 emergency procedures in place to provide escort services  
16 and radiation protection to all offsite emergency  
17 responders. This, as near as I can tell, is consistent  
18 with other utilities in Canada.

19 Security: NB Power submitted the  
20 information requested to CNSC staff. Correspondence  
21 submitted is considered protected. The information is  
22 only mentioned here for reference only. We would be glad  
23 to address any remaining security issues if this is  
24 required and I will now turn the presentation over to Mr.  
25 Thomas and thank you very much for letting me participate.

1                   **MR. THOMAS:** Thank you, Joe.

2                   Mr. Chair and members of the Commission,  
3                   for the record, my name is Gaetan Thomas.

4                   NB Power Nuclear is qualified to operate  
5                   Point Lepreau Generating Station and will make adequate  
6                   provision for the protection of the environment, the  
7                   health and safety of persons, the maintenance of national  
8                   security and measures required to implement international  
9                   obligations to which Canada has agreed.

10                  We respectfully request the Canadian  
11                  Nuclear Safety Commission to renew NB Power Nuclear's  
12                  power reacting -- reactor operating license for a five-  
13                  year period. This wraps up our oral presentation.

14                  Thank you again for the opportunity to come  
15                  before the Commission today in support of the renewal of  
16                  Point Lepreau Generating Station Power Reactor Operating  
17                  Licence. We, along with the technical staff we have  
18                  present today, both here and in Saint John, are ready to  
19                  answer any question you may have.

20                  Thank you. Merci.

21                  **THE CHAIRPERSON:** Thank you for your  
22                  presentations.

23                  So I'll turn to CNSC staff, and I  
24                  understand that staff will not be making a presentation  
25                  but are available to answer any questions.

1                   Is that correct, Mr. Grant, or do you have  
2                   any comments on the presentation that you've heard this  
3                   morning?

4                   **MR. GRANT:** Thank you, Dr. Barnes.

5                   For the record, I'm Ian Grant, the Director  
6                   General of Power Reactor Regulation and with me is Ken  
7                   Lafrenière, the Director of the Point Lepreau Regulatory  
8                   Division, Ben Poulet, the Senior Inventory Program  
9                   Officer, and behind me, Mr. Burton Valpy who is the Acting  
10                  Senior Site Inspector.

11                  Staff has submitted CMD 06-H4.C for  
12                  consideration. We do not have a presentation but we would  
13                  like to make some brief opening remarks and I would like  
14                  to turn the microphone over to Mr. Lafrenière to deliver  
15                  remarks.

16                  **MR. LAFRENIÈRE:** Thank you, Mr. Grant. For  
17                  the record, my name is Ken Lafrenière and I am the  
18                  Director of the Regulatory Program Division for Point  
19                  Lepreau and Gentilly.

20                  I'd like to offer a brief statement for the  
21                  Commission.

22                  First, I'd like to summarize staff's  
23                  recommendations on the applications for the benefit of the  
24                  Commissioners and the intervenors.

25                  Secondly, I would like to provide an update

1 on the developments since Day One hearing in February.

2 Staff presented its assessment of New  
3 Brunswick Power Nuclear's Application for Renewal of the  
4 Point Lepreau Operating Licence to the Commission during  
5 the Day One hearing in February. Staff concluded that New  
6 Brunswick Power Nuclear application, backed by its record  
7 of safe station operation during the past licensing period  
8 meets or exceeds CNSC's staff requirements. Staff  
9 considers that New Brunswick Power Nuclear has met the  
10 requirements of the *Canadian Environmental Assessment Act*,  
11 is qualified and will make adequate provisions to carry  
12 out the proposed activities covered by the current licence  
13 period recommended before the Commission.

14 A specific activity that New Brunswick  
15 Power proposes to carry out during the proposed licence  
16 period is the refurbishment of the Point Lepreau  
17 Generating Station to extend its operating life. Staff  
18 has reviewed New Brunswick Power's plans to conduct the  
19 refurbishment and is satisfied that the Applicant is  
20 qualified and will make adequate provisions for this  
21 project. Staff has planned regulatory activities to be  
22 carried out for the duration of the project to obtain this  
23 assurance and to confirm this assurance that New Brunswick  
24 Power's refurbishment project work is adequate and is  
25 carried out safely.

1                   Staff has recommended that the licence  
2                   include some new conditions which require the licensee to  
3                   provide assurance, satisfactory completion of the  
4                   refurbishment and to obtain approval of the Commission or  
5                   a person authorized by the Commission before returning the  
6                   unit to service.

7                   I also would like to note that staff has  
8                   issued recently, for public consultation, a draft  
9                   regulatory guide which -- Guide 360 -- which formalizes  
10                  the requirements that have gone into the -- that have been  
11                  followed for the refurbishment projects to date and which  
12                  will guide future activities. That document is available  
13                  for public comment following our regulatory documents  
14                  process.

15                  Now, I would like to turn to some  
16                  developments since Day 1. First, staff has recommended  
17                  some licence condition amendments, taking into account  
18                  some updates to technical standards and some changes in  
19                  scheduled tests. The recommendations are that staff  
20                  recommends a deadline for the building leak rate test be  
21                  deferred until after the refurbishment outages in August  
22                  2009 from the current date of June 30<sup>th</sup>, 2007.

23                  Staff also recommends licence conditions  
24                  relating to pressure boundaries be revised to include the  
25                  latest CSA standards which have just recently been issued.

1 The same applies for licence condition 6.1 to 6.5 relating  
2 to fire protection. Staff recommends that they be revised  
3 to include the latest additions of the National Building  
4 Code of Canada and the National Fire Code of Canada. And  
5 staff recommends, again, that the environmental  
6 qualification licence condition, 7.1, be revised to  
7 include the latest standard which is N29-A-13 issued in  
8 2005.

9 Secondly, I would like to note that staff  
10 has recently completed its assessment of the integrated  
11 safety review that was submitted by New Brunswick Power  
12 Nuclear. The objective of the assessment was to verify  
13 the adequacy of the safety findings and to confirm the  
14 acceptability of the plant refurbishment and safety  
15 upgrades, and staff has generally concurred with the  
16 integrated safety review findings but has requested some  
17 additional information on specific topics in several  
18 areas.

19 Finally, for administrative purpose, I have  
20 a correction. We note that CMD 06-H4.C contains  
21 corrections for the record, and also I'd like to correct a  
22 mistake in the actual CMD 06-H4.C where reference to  
23 section 4.5 -- the correct reference should be CNSC staff  
24 response to New Brunswick Power Nuclear request to amend  
25 the OP&P document and the correct CNSC number is 1270253.

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This concludes my opening remarks and staff are now available to answer any questions.

**THE CHAIRPERSON:** Thank you.

I'll now open the floor for questions from Commission members to both NB Power and CNSC staff and I will start with Dr. McDill.

**MEMBER McDILL:** Thank you.

With respect to NB Power's website, is that a searchable website?

**MS. MCKAY:** Pamela McKay, for the record, on behalf of NB Power.

The website is searchable. The NB Power website is searchable for information.

**MEMBER McDILL:** Thank you.

One of the intervenors requested some more information so if that intervenor were to search the website for -- I'll use the intervenor's request -- low temperature creek, would anything come up?

**MS. MCKAY:** Not on the NB Power website, no.

**MEMBER McDILL:** So how would an interested citizen find information on that kind of topic which is fairly technical?

**MR. MCCARTHY:** My name is Joe McCarthy for

1 the record.

2 If that sort of technical information was  
3 required you can contact our public affairs organization  
4 and they will touch base with the responsible technical  
5 party and will provide answers to any technical type  
6 question of this nature or any other question for that  
7 matter. So just contact our Public Affairs and they will  
8 touch base with myself or one of our technical people and  
9 we will delegate the right person to provide the answer.

10 **MEMBER McDILL:** Thank you.

11 Staff, is that normal and satisfactory?

12 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
13 record.

14 Yes, I believe that is normal practice. In  
15 addition, I'd point out that the CNSC staff, also through  
16 various legislative mechanism, access to information, or  
17 our corporate position on our info access line would  
18 release information of that nature as long as it didn't  
19 compromise the confidentiality agreement or protected  
20 information.

21 **MEMBER McDILL:** Thank you.

22 My second question that refers to the  
23 sample of 600 randomly selected citizens of New Brunswick,  
24 I wonder if you could tell me if that is a properly  
25 designed survey with proper statistical basis behind it?

1                   **MS. MCKAY:** Pamela McKay for the record.

2                   Yes, the survey is a statistical survey  
3                   carried out by an independent agency. We do have the  
4                   background questionnaire and also the background details  
5                   for all of the questions answered with respect to that.

6                   **MEMBER MCDILL:** And if I could ask, where  
7                   were the individual randomly selected citizens randomly  
8                   selected from?

9                   **MS. MCKAY:** From the entire province of New  
10                  Brunswick.

11                  Pamela McKay for the record.

12                  **MEMBER MCDILL:** And staff, you made some  
13                  updates on pressure boundaries. I missed one. I wonder  
14                  if you could just clarify it for me. Something is being  
15                  moved to 2009 from 2007. Could you clarify that for me  
16                  and explain the rationale behind it, please?

17                  **MR. LAFRENIÈRE:** Yes. Ken Lafrenière for  
18                  the record.

19                  The moving pressure test is a test  
20                  basically for the reactor building, leak rate test. It's  
21                  a test that is done periodically on the reactor building,  
22                  and basically the test comes due -- it's part of the  
23                  operating licence, it comes due roughly before the start  
24                  of the refurbishment outage, the proposed refurbishment  
25                  outage. So it would make sense technically to verify that

1 equipment after the refurbishment outage where it would  
2 include all the various work and ensure the integrity of  
3 that building.

4 **MEMBER McDILL:** And how many months would  
5 pass when it would normally have been tested to when the  
6 proposed outage occurs?

7 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
8 record.

9 The test would -- the actual dates would be  
10 almost a year and a half, but it's a test that's done on a  
11 -- that requires a shutdown to do but it's really meant  
12 for an operating reactor. So to just give a sort of an  
13 extension of the deadline without putting that information  
14 wouldn't be quite accurate. The reactor building test --  
15 the extension, to answer your question more precisely,  
16 would be basically from June 2007 to the spring outage,  
17 which would be 2008, April, I believe, for the start of  
18 refurbishment. So that's really the extension and the  
19 test itself is done periodically, I believe, done on a  
20 five-year interval for the CANDU 600's.

21 **MEMBER McDILL:** So it's roughly a nine  
22 month extension?

23 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
24 record.

25 If my calculations are correct, yes, I'll

1 put out that tests of that nature are dependent upon  
2 outages and they are often moved to suit the schedule of  
3 outages. So the licence condition carries sort of a  
4 deadline where the test must be done but it's typically  
5 done before or after, depending on the licensee's  
6 scheduled maintenance outages.

7 **MEMBER McDILL:** Thank you.

8 So this nine month delay is not an unusual  
9 circumstance in the cycle of a reactor building?

10 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
11 record.

12 Yes, I would say it's technically  
13 justifiable for them to request that and staff to grant  
14 that. It has very little impact.

15 I will also point out that there are other  
16 more minor scope tests that are done continuously to  
17 verify the integrity of that building. So this is not an  
18 unusual thing to occur.

19 Thank you.

20 **MEMBER McDILL:** Thank you.

21 Perhaps NB Power would like to comment as  
22 well?

23 **MR. MCCARTHY:** Yes. Joe McCarthy for the  
24 record.

25 The only comment I would make, in addition

1 to what Mr. Lafrenière says, is -- or even more of a  
2 clarification is it's actually three years is the normal  
3 interval as opposed to five years. But Mr. Lafrenière is  
4 quite right and there are other tests that go on on a  
5 routine basis like visual monitoring and monitoring the  
6 actual pressure in the building on an ongoing basis that  
7 will give us a clear indication if there is any signs or  
8 any evidence of degradation.

9 **MEMBER MCDILL:** Thank you. That's fine for  
10 Round One.

11 **THE CHAIRPERSON:** Thank you.

12 Dr. Dosman.

13 **MEMBER DOSMAN:** Thank you, Mr. Chair.

14 On Day One there was considerable  
15 discussion of issues related to the workforce and some of  
16 those have come through on the documentation from NB  
17 Power. I just would like to ask staff, is staff satisfied  
18 that the issue of excess overtime and so on has been  
19 adequately explained? It strikes me by the documentation  
20 that what we have seen is a recalculation and I would just  
21 like to ask staff if staff is satisfied with the way these  
22 numbers have been recalculated and if, in your view, this  
23 really does represent a true situation where there isn't  
24 the kind of overtime that had been apparent on Day One.

25 **MR. LAFRENIÈRE:** Ken Lafrenière for the

1 record.

2 Yes, Dr. Dosman, staff is satisfied with  
3 the numbers. You can see basically the reason for staff  
4 concern was the reporting of an overly large number  
5 reported. We are confident that that was more an  
6 administrative problem and going forward we will be  
7 looking at those numbers to ensure that they're kept to a  
8 reasonable level.

9 **DR. DOSMAN:** I just wonder whether NB Power  
10 has any additional comment on staffing.

11 **MR. McCARTHY:** Joe McCarthy for the record.

12 First of all, I want to acknowledge what  
13 Mr. Lafrenière says. That previous report was an  
14 administrative error that obviously we should have picked  
15 up on before we did. But in terms of staffing we are  
16 doing a number of things. We're developing an  
17 organizational basis document which will define all of the  
18 functional requirements for the station and that's a  
19 longer term project and it really helps us better manage  
20 our staffing. But on the short term basis we're looking  
21 proactively daily, weekly, monthly at what our needs are  
22 to operate the station safely and reliably. For example,  
23 since the 1<sup>st</sup> of the year we've actually hired 35 new  
24 people on board and there was eight people, I believe,  
25 retired or left for one reason or another. And so a net

1 gain of 27 and we're currently in the process of hiring  
2 new vacant positions that we know are coming due in the  
3 next few months. So it's an ongoing process where we're  
4 looking proactively at what our short term needs are. In  
5 addition to that, we're developing a longer term strategy  
6 which better allows us to manage and allows us also a  
7 reference point from which we can make a change and  
8 clearly understand why we made the change.

9 In the interim, we do have all the  
10 components of that organizational basis document  
11 available. They're just not in a formal structured  
12 document that makes it easy for one to use effectively.  
13 So we're working to put a comprehensive structured  
14 document in place.

15 **MEMBER DOSMAN:** Mr. Chair, just continuing  
16 on the human resources. Is NB Power confident that you  
17 can find the number of skilled workers necessary in the  
18 area to undertake the refurbishment? Certainly a number  
19 of areas of Canada are experiencing acute labour  
20 shortages, particularly in the trades and I would just  
21 like to ask you what your plans are and what your  
22 confidence level is that you can actually find the skilled  
23 workers to carry out the refurbishment.

24 **MR. MCCARTHY:** Again, Joe McCarthy for the  
25 record.

1                   And Dr. Dosman, you're quite right; that is  
2 a challenge not only for NB Power but for the industry in  
3 general. We are monitoring what is happening in the  
4 industry. We're trying to be as proactive as we can to  
5 anticipate, you know, when people will be leaving. We're  
6 doing in-house training programs. We're setting up  
7 mentoring programs to give broader knowledge to those new  
8 people that are -- people that are -- you know, have  
9 recently come on board so they can carry on and provide  
10 the knowledge to the new people that we hope to be hiring  
11 within the next year or so.

12                   Additionally to that, we are looking at how  
13 we might be able to partnership with the universities in  
14 New Brunswick and the community colleges to better train  
15 and qualify people so they will be available when we need  
16 them.

17                   And additionally, we're looking at  
18 potentially how we could retain the existing people we  
19 got. Like there's a lot of people that, you know,  
20 potentially sometimes want to retire when they're 55 or  
21 so, but we're looking at how we could attract them and  
22 make it interesting for them to stay longer.

23                   And I think with this, being proactive,  
24 working with the universities, I mean there's always risks  
25 but I have a high degree of confidence we're going to be

1       able to get the staff we need. And besides, New Brunswick  
2       is a beautiful place to live. So we think we're going to  
3       be able to achieve the staffing levels required.

4                   **MEMBER DOSMAN:** Thank you. How do you plan  
5       to -- just on that view, when the station is shut down,  
6       how will you manage your workforce? Will you put the same  
7       workers to work on the refurbishment or how will you  
8       manage the workforce when you're not generating  
9       electricity?

10                   **MR. MCCARTHY:** Well, for the most part, as  
11       we've said, the refurbishment outages is just that, a  
12       maintenance outage for the most part, and a lot of the  
13       normal activities that goes on today -- like, we're in an  
14       annual outage down there today and a lot of the activities  
15       that are going on will still go on. You know, like if I  
16       look at refurbishment period, there's really three  
17       components to the outage. There's a retube contract that  
18       retubing the reactor itself. There's a refurb contract,  
19       we call it, which are specific improvements we're going to  
20       make and then there's routine maintenance that we do like  
21       we do in any outage. That's still going to go on.

22                   We're still going to have to maintain the  
23       infrastructure like air, water, ventilation, so all of the  
24       control room will have to be manned. We still have to  
25       keep our staff trained so they're readily available to

1 take up the reins again as soon as the refurbishment is  
2 over.

3 So yes, there probably will be a few people  
4 that will be able to free up and support the refurbishment  
5 project, but for the most part, most of the staff will  
6 continue to do a lot of the same activities they're doing  
7 today.

8 **MEMBER DOSMAN:** Sir, just following on the  
9 Day One question, how do you plan to keep, for example,  
10 your operator sharp and so on during an extended period of  
11 outage?

12 **MR. McCARTHY:** Well, we'll be continuing  
13 with our continuing training program which involves heavy  
14 use of a simulator. In addition to that, we will -- any  
15 of the changes that are being made in the plant as a  
16 result of refurbishment, they will be made in the  
17 simulator before they're made in the plant and people will  
18 be exposed to those on the simulator. So staff will see  
19 most of the -- it's the same training they see today. I  
20 mean I know it's a little different than operating a real  
21 live control room versus a simulator but our training  
22 program is such that we try to make it be as real as --  
23 you know, the expectations of management when people are  
24 in the simulator are the same as in the control room.

25 Now, I know it's maybe a little difficult

1 for people to stay focused but that's our goal is to try  
2 and keep it interesting, keep it focused, make sure that  
3 the events that are not normally exercised when the plant  
4 is shut down are, in fact, exercised on the simulator on a  
5 routine basis throughout the 18-month outage.

6 So we're pretty confident, and not only  
7 that, we'll be doing testing of these people on a regular  
8 basis to ensure they can meet specific standards.

9 **MEMBER DOSMAN:** I note in Day One and from  
10 the documentation for staff that the human factors had  
11 received a C rating and I was just wondering if staff had  
12 any comment and what your confidence is on that issue with  
13 regard to the company.

14 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
15 record.

16 Yes, the human factor was rated C in Day  
17 One. That was partly due to some of the issues that  
18 you've just been discussing in terms of the training of  
19 the staff, and the apparent overtime hours of staff and  
20 also some documentation in terms of human factors,  
21 engineering plans for the operation of the station were  
22 the three major components that reduced the grade to that  
23 level.

24 Currently staff are satisfied with the  
25 progress made on the plans in place of New Brunswick Power

1 to address those issues.

2 **MEMBER DOSMAN:** Thank you.

3 I would just like to come back again to the  
4 company on the issue of the -- presumably you'll be  
5 bringing contractors onto the site. You indicated, for  
6 example, on the pressure tubes and so on, much of that  
7 work will be contracted out and I'm just wondering if you  
8 could explain to me the plans that you have in mind for  
9 safety training and health and safety issues on  
10 contracting workers on site.

11 **MR. McCARTHY:** Joe McCarthy for the record.

12 I'm going to ask that we allow Laurie  
13 Comeau to address that question.

14 **MR. COMEAU:** For the record, my name is  
15 Laurie Comeau, Manager of Personnel Safety and Environment  
16 at Point Lepreau.

17 As part of the integration of the  
18 refurbishment project to call it the normal operation of  
19 the plant, we have done a gap analysis in the health and  
20 safety environment areas. The intent, of course, is to  
21 merge the AECL programs with our own programs so that in  
22 the final analysis we have a common program that we're all  
23 working from. An gap analysis has been completed. We've  
24 done a complete risk review of the type of activities that  
25 take place during refurbishment.

1                   Any new risks which we currently don't  
2 handle well in our current methods and practices we would  
3 develop procedures to handle those.

4                   We're currently working with AECL as we  
5 speak to look at the radiation protection training leading  
6 into refurbishment, and we're also looking at the training  
7 in terms of skills, procedures in radiation protection so  
8 that when you look at major work like say pressure tube  
9 removal, that all of the aspects of that process are  
10 integrated together so that the staff is not only trained  
11 on how to do the work but also trained into what hazard to  
12 expect at any particular significant step and contingency  
13 actions will be built into that as well.

14                   So we view a very integrated approach to  
15 our work and AECL's so that we have the same rule book,  
16 the same expectations and to mock up training and so  
17 forth, that the skill set and knowledge set required to do  
18 the critical work is well understood.

19                   **MEMBER DOSMAN:** Sir, if I might pursue this  
20 line of questions?

21                   Presumably -- would you be willing to  
22 describe for me the type of person that's hired for this,  
23 the pressure tube? Presumably these are pipe fitters and  
24 people in similar trades, and I wonder if you can just  
25 explain to me the kind of background these workers have

1 and also whether you think there is enough of these people  
2 on site in New Brunswick to be able to fill that need?

3 **MR. MCCARTHY:** For the record, Joe  
4 McCarthy.

5 I'm going to ask Rod Eagles to respond to  
6 that question.

7 **MR. EAGLES:** Yes. For the record, Rod  
8 Eagles.

9 We have been engaged with the building  
10 trade unions over the last number of years preparing them  
11 with information about the type of project, and of course,  
12 as we might expect, they're very excited about the  
13 opportunity to come and work at our facility.

14 We engage the building trade unions on an  
15 ongoing basis during staff -- or during maintenance  
16 projects, like the maintenance outage that's going on  
17 today at the station, so they're very familiar with the  
18 type of work that we do at the station and the rules that  
19 are required for them to both gain access to the station  
20 and then to conduct the work.

21 During the refurbishment outage we will  
22 absolutely need more of those type of workers than we  
23 typically take during a maintenance outage, and we've been  
24 having ongoing dialogues with the building trade unions  
25 about whether those kinds of resources will be available.

1                   We know that the Boiler Makers Union in the  
2                   St. John's area for instance has 700 members. A good  
3                   number of those members are off working in other parts of  
4                   the country today and are very excited about the  
5                   opportunity to come home and work in New Brunswick on a  
6                   project like this and to be much closer to home.

7                   A similar story for other unions as well,  
8                   but the work at the reactor face is looking like it's  
9                   primarily boiler maker work with some other trades mixed  
10                  in with that as well. AECL has been taking a proactive  
11                  view of this in trying to identify how to put in crews of  
12                  perhaps different types of workers. We have to integrate  
13                  in the technical resources from the AECL team as well who  
14                  will be operating much of the automated equipment that's  
15                  being developed for this process, and together this work  
16                  will be trained on the mock-ups that are located off site,  
17                  actually, in Saint John to ensure that all of the workers  
18                  that come there have an exact understanding and  
19                  expectation of what they'll be doing when they arrive.

20                  **MEMBER DOSMAN:** Mr. Chair, I'm just  
21                  wondering if I might ask, do you have the statistics to  
22                  know whether contracted workers have higher non-radiologic  
23                  injury rates or workers compensation claims for example,  
24                  hand injuries or other similar types of injuries compared  
25                  to your full-time workers?

1                   **MR. EAGLES:** I don't have the information  
2 with me. No, it's something I'd have to do some research  
3 on.

4                   **MEMBER DOSMAN:** I'm just wondering if I  
5 might ask staff whether staff would have any knowledge of  
6 how non -- well, radiological but specifically non-  
7 radiologic injury rates, workers compensation claims and  
8 so on, compare between contracted workers onsite and the  
9 full-time work force?

10                   **MEMBER BARNES:** I think we have an answer  
11 from ---

12                   **MR. COMEAU:** My name is Laurie Comeau for  
13 the record.

14                   I think the general -- I'll address your  
15 question in the general terms. The statistics should  
16 probably show that for general contracting work their  
17 frequency for accidents is higher than at the plant. But  
18 if you look at our experience and our outages over the  
19 last several years, we include those workers in our own  
20 statistics, and typically because they do follow our  
21 program and they are monitored in the same fashion as our  
22 own employees, we've had, from a contractor perspective, I  
23 believe, in the last two outages there is no loss time  
24 accidents.

25                   So we find that when we integrate work

1 forces together with the proper training and orientation  
2 that really the numbers sort of come down to where we are  
3 in a normal operation. If you look where NB Power is in  
4 terms of our compensation rate, which is a direct  
5 reflection of course of that statistic of loss time  
6 accident frequency and severity, we are in the lowest  
7 category in the province. We are in there with office  
8 workers. So I think it bodes well with the safety  
9 programs that we have in place.

10 **MEMBER DOSMAN:** Thank you.

11 I'll pass, Mr. Chair.

12 **THE CHAIRPERSON:** Did staff have any  
13 comment at all or are you happy with the reply?

14 **MEMBER DOSMAN:** Oh, yes. Thank you.

15 **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
16 record.

17 No additional comments. However, if the  
18 Commission wishes we can provide that data after a bit of  
19 research I believe.

20 **THE CHAIRPERSON:** Thank you.

21 Mr. Graham.

22 **MEMBER GRAHAM:** Thank you.

23 A couple of follow-up questions to my  
24 colleagues, and one of them is with regard to the hours  
25 worked, and I know Mr. McCarthy has said that there is a

1 different criteria that has been used to develop the new  
2 chart that you presented this morning. The only thing  
3 that I would ask is that by deleting a couple of the items  
4 like standby, I think, work and there was -- the other  
5 items were -- and one was mealtime, paid mealtimes and so  
6 on.

7 I'm wondering, paid mealtimes may still be  
8 a person working onsite and that perhaps could be debated  
9 whether it's in or not, but what I wonder is the actual  
10 excess -- is now the actual excess safe for the year 2001-  
11 02 and the year 2002-05?

12 **MR. MCCARTHY:** That is -- again, Joe  
13 McCarthy for the record.

14 Mr. Graham, there is a number of criteria  
15 that we look at. We look at the number of continuous  
16 shifts you would work on a continuous basis, like six,  
17 seven, whatever the case may be. We also look at the  
18 total of number of hours you had worked like in any three-  
19 month period, also the total number of hours you would  
20 work like over the course of a year.

21 The ones you are looking at here are the  
22 total number over the course of a year. We're looking at  
23 2,400 hours over the course of a year here. So in this  
24 particular case the numbers you are seeing are in relation  
25 to the 2,400 hour limit.

1                   **MEMBER GRAHMAM:** But by bringing it down  
2 and eliminating some of those ones is -- and I used an  
3 example, in the year 2002 there was only a third of a  
4 staff and under the new criteria it's five. So what ---

5                   **MR. McCARTHY:** Sir, it was 30 per cent. I  
6 apologize. That was 30 per cent -- the report in the  
7 original CMD was 30 per cent of all station staff.

8                   **MEMBER GRAHMAM:** Oh, okay.

9                   **MR. McCARTHY:** My mistake.

10                  **MEMBER GRAHMAM:** Okay.

11                  Now, my other question is with regards to  
12 you were talking about 2,400 hours per year, but do you --  
13 what is the criteria that you're setting now by, say, the  
14 consecutive shifts or within a month period and so on,  
15 which I think is more significant then -- because during  
16 an outage or during certain times you may be working a lot  
17 more overtime then on a yearly average, and I'm wondering,  
18 do you have a criteria for a monthly basis or a weekly  
19 basis and so on?

20                  And that's what wasn't answered earlier.

21                  **MR. McCARTHY:** Yes, we do have a criteria.  
22 I have a lady or an HR manager at the Delta in Saint John  
23 that should be able to give you the specifics, but we do  
24 have a criteria. So if Jill Doucett's available I'd ask  
25 that she'd come to the stand and provide us some further

1 information on this.

2 **MS. DOUCETT:** We currently have a variety  
3 of time codes by which we clarify the hours of work.

4 At the time in 2002 the numbers that were  
5 provided were based on a system that just looked at the  
6 total. Now, we have a process to station instructions  
7 that allow us to monitor these things on a daily basis by  
8 problem identification and a corrective action program  
9 where people are submitting their information through that  
10 mechanism and by weekly through our timekeeping system,  
11 whereby we audit those on a regular basis. And in the  
12 station instructions there is also a provision for fatigue  
13 assessment that is conducted by the supervisors and  
14 superintendents.

15 **MEMBER GRAHAM:** Thank you.

16 My other question, then, and I guess first  
17 of all I'll go to CNSC staff before I go back to Saint  
18 John.

19 To CNSC staff, is Point Lepreau Nuclear  
20 Generating Plant, is it within the average for overtime  
21 work and so on -- is it within the average of the rest of  
22 the fleet in Ontario and Quebec?

23 **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
24 record.

25 I'll call upon Helen McRobie who is the

1 specialist in this area to answer that question.

2 **MS. McROBIE:** Helen McRobie, for the  
3 record.

4 So just to clarify, so NB Power has  
5 provided CNSC staff with additional information explaining  
6 how hours of work had been over reported. So the reason I  
7 had highlighted this issue to the Commission is just it  
8 appeared that they were violating their own limits on  
9 hours of work. They gave me a description of how they  
10 have corrected their process for evaluating hours of work  
11 violations and we intend to follow up with a compliance  
12 activity to verify the implementation of this process.

13 So as far as how they compare with the rest  
14 of the industry, they do. They are comparable.

15 **MEMBER GRAHAM:** So you have done a  
16 comparison, say, with the Ontario fleet of generation  
17 plants, generation facilities and so on, and you say that  
18 they're within those guidelines and are comparable and  
19 they're not -- there is no excess because of a shortage of  
20 workers and so on, that they are meeting the requirements  
21 of CNSC?

22 **MS. McROBIE:** Right now the CNSC is working  
23 on standardizing our expectations for hours of work across  
24 the industry and NB Power is working within the limits  
25 within their station procedures, but this is something

1 that we're going to do some work verifying and it is an  
2 indicator that we're using to look at the adequacy of  
3 staffing levels as well.

4 **MEMBER GRAHAM:** My question, then, to CNSC  
5 staff is that when do you expect to have that type of a  
6 program in place as a rule to follow for nuclear  
7 facilities, especially the one that we're dealing with  
8 today, Point Lepreau?

9 **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
10 record.

11 We have -- as Ms. McRobie has pointed out,  
12 we have actually begun the drafting of the standards that  
13 will give us our uniform regulatory requirements across  
14 the fleet. We have had several meetings on that specific  
15 topic and my understanding that those requirements will be  
16 in place, I would say, within the year or two and,  
17 certainly, going prior to the refurbishment outage.

18 **MEMBER GRAHAM:** Thank you.

19 Yes, another question not pertaining to  
20 labour but pertaining to your public relations, you gave  
21 us quite an overview this morning, again, on your public  
22 relations and I think you have covered the general aspects  
23 very well.

24 I guess the major concerns of the general  
25 public are probably in the four categories. One is to

1       make sure it's a safe operation up to refurbishment, that  
2       the plant is operated in a safe manner, but then while  
3       it's in a safe shutdown, which is quite new in the  
4       process. There has only been two of a smaller nature  
5       before in Canada of this nature; that the protection of  
6       workers within the facility of -- the health and safety of  
7       workers is maintained, and I guess the big one that people  
8       really want to -- the general public want and we must  
9       demonstrate is -- and I'd like you to comment on -- that  
10      you're going to get the -- that quality work will be done,  
11      that there won't be anything compromised because it's a  
12      turnkey of \$1.022 billion or whatever it is with AECL,  
13      that you keep the public well informed and you can assure  
14      us, especially the Commission, the public are well  
15      informed that there won't be any corners cut. It's been  
16      referred to a couple of times. I know it will be referred  
17      to later on today and it was the other day, Day One, with  
18      regard to, say, the computer, the age of the computer  
19      system and so on not being dealt with as such and the  
20      other aspects that aren't being done.

21                    But I'd like you to comment on assurances  
22      to the public, and that's not only in the immediate area  
23      of Point Lepreau but to all the ratepayers in New  
24      Brunswick that quality will not be sacrificed for the sake  
25      of the money spent.

1                   **MR. MCCARTHY:** Yes, Joe McCarthy for the  
2 record.

3                   Just to make it crystal clear, Mr. Graham,  
4 Point Lepreau or NB Power Nuclear, we are accountable for  
5 the safety of all of the people that are working on that  
6 site. It doesn't make any difference whether the general  
7 contractor is there or not. It's our accountability and  
8 we will have adequate oversight to ensure that the  
9 contractor does do the right things, they do follow the  
10 quality process that we have in place and we can assure  
11 everybody that it's certainly in our interest to make sure  
12 things are done right because when we start Lepreau back  
13 up again in 2009, I mean, it's got to be successful for  
14 us.

15                   So it would be naïve of us to go in there  
16 and try to cut a corner because it'll only jump up and  
17 bite us again in the future. So we're committed to safe,  
18 reliable operation of that station and we're going to do  
19 what it takes to make sure it does happen. And I want to  
20 assure the public of that.

21                   Again, it's our accountability to make sure  
22 not only that we do the right thing but the contractors  
23 that are doing work for us, that they do the right thing,  
24 and we intend to provide the appropriate oversight.

25                   **MEMBER GRAHAM:** Because of past experience

1 and so on, there is a fine line there to follow with  
2 regard to making sure that you have high quality and, yet,  
3 you don't have cost overruns that affect the ratepayers  
4 throughout the province and I know it is not the job of  
5 this Commission to discuss rates and so on which health  
6 and safety is our major concern. But it's the cost  
7 overruns and the sacrifice of quality, that fine line that  
8 you have to continue with your public relations to make  
9 sure that that word -- that message gets out there.

10 **MR. MCCARTHY:** Absolutely, and we intend to  
11 do that. But one of the things that we are doing is --  
12 like we started this process about five years ago. So I  
13 mean, we are well prepared to go into this. We are  
14 proactively dealing with all of the issues. We are  
15 putting good plans in place, pre-thinking them out. So  
16 we're committed to quality. There is no question as you  
17 move forward you're always going to -- when you open  
18 something up you're going to find issues that we're going  
19 to have to deal with.

20 But we have allowed for that particular  
21 contingency and I think we're very well prepared in where  
22 we are today and we're certainly going to be taking  
23 whatever proactive actions are necessary to ensure that we  
24 are prepared so we don't have to get in a position where  
25 we have to question quality versus productivity. In any

1 event, we wouldn't go there because it's essential that we  
2 do things in a safe way and it's essential that we do  
3 things in a quality way. I mean, if we don't the place  
4 won't run and it's in my interest and your interest,  
5 everybody's interest, to do the right thing here and we  
6 are committed to doing the right things.

7 **MEMBER GRAHAM:** Thank you, Mr. Chairman.  
8 Another couple of other questions along with regard to CMD  
9 H4.C

10 On page 4, the one with regard to fire  
11 protection in there, the 3.3.4, with regard to the two new  
12 action items -- references to one -- were opened and so  
13 on. I guess my comments or my questions are around the  
14 second paragraph. CNSC staff note that:

15 "NB Power Nuclear failed to address  
16 fire protection findings from a 2004  
17 Type 1 inspection by the March 31<sup>st</sup>  
18 deadline of 2006."

19 My first question is, has that now been met  
20 or when do you expect to be able to have those findings  
21 addressed? And that's to CNSC staff first.

22 **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
23 record.

24 We, in general terms -- I'll answer in  
25 general terms and I'll pass it over to the specialist, the

1 fire protection specialist who has recently come back from  
2 Point Lepreau and a discussion with the licensee.

3 The reason why we are reporting on these  
4 two new action items is we are looking at the fire  
5 protection upgrades and we wanted to separate it basically  
6 into two sort of categories. One would be the upgrades  
7 that would be done as part of their operation and  
8 maintenance program which is basically reflecting on the  
9 current operating station. Another is that we would  
10 classify more as design requirement changes which would be  
11 done for the restart and during the refurbishment outage.

12 That's the general nature of why we  
13 reclassified that. In terms of Point Lepreau's  
14 performance on this particular Type 1 inspection  
15 commitments they have satisfied portions of it and they  
16 didn't satisfy -- they told us they wouldn't be able to  
17 meet other portions of it. I'll let Mr. Grant Cherkas  
18 specify exactly what those are.

19 **MR. CHERKAS:** For the record, my name is  
20 Grant Cherkas. I'm the Fire Protection Specialist with  
21 Engineering Design Assessment Division.

22 The action items were to; one, create a  
23 manual that would guide the facility during an impairment  
24 to the fire protection systems and the other one was to  
25 establish a technical planning basis for fire emergencies,

1 and those were due March 31<sup>st</sup>, 2006.

2 We've received recently some correspondence  
3 from the licensee indicating we would expect to see those  
4 action items resolved near the end of this year. I  
5 believe the date is August of 2006.

6 **MEMBER GRAHAM:** For the record, is it  
7 August that you're expecting that?

8 **MR. CHERKAS:** Grant Cherkas, for the  
9 record.

10 Yes, we would be expected it in August of  
11 this year.

12 **MEMBER GRAHAM:** NB Power, you concur with  
13 that, and can you meet those deadlines?

14 **MR. MCCARTHY:** Joe McCarthy, for the  
15 record.

16 Yes, we intend to meet the August deadline.  
17 It was us that actually submitted the August deadline date  
18 and CNSC staff has, I guess, concurred that that would be  
19 appropriate for them and we intend to meet them. In fact,  
20 we intend to put - in fact we've already done it - put  
21 three full-time people focused on the issues that Mr.  
22 Cherkas just spoke about.

23 **MEMBER GRAHAM:** One other question I have  
24 with regard to that same CMD and that's with regard to  
25 emergency preparedness 3.5, and the last paragraph says:

1 "CNSC staff conclude that although  
2 progress has been made in the training  
3 of control/elevators [evaluators, I'm  
4 sorry] there's still a need to improve  
5 the control aspect and training. CNSC  
6 staff also request NB Power to develop  
7 and submit a plan for the 2006  
8 exercise."

9 Is that on schedule -- and to NB Power, is that on  
10 schedule and will that be available to CNSC staff?

11 **MR. McCARTHY:** Joe McCarthy, for the  
12 record.

13 I'm going to ask Laurie Comeau to answer  
14 that question.

15 **MR. COMEAU:** For the record, my name is  
16 Laurie Comeau, Manager, Personnel Safety and Environment.

17 To satisfy that query or the concern,  
18 myself and one of my staff have actually been to an  
19 exercise that was conducted by the Department of National  
20 Defence in Esquimault. The purpose of our visit there was  
21 to observe and participate in the evaluation of their  
22 exercise that was conducted by an organization that has  
23 respect in Canada and around the world; to bring back  
24 those lessons learned and apply them to our site.

25 So the short answer to your question is

1 that we will be modifying our evaluator controller  
2 training and expectations as part of this benchmark visit  
3 and they will be ready by the exercise for our own people.

4 **MEMBER GRAHAM:** Thank you.

5 With regard to the license itself, the  
6 proposed license that we have in our document, and I want  
7 to refer to Appendix F, 25/32; page 25 of 32, regarding  
8 the written qualification test of control room operators  
9 and shift supervisors. Is that going to be -- is that on  
10 schedule and will that be met as per Appendix F of  
11 license?

12 And I guess my first question is to CNSC  
13 staff. Are you satisfied that this is well in hand?

14 **MR. LAFRENIÈRE:** Ken Lafrenière.

15 I'll transfer that question to John Fraser  
16 who is the Acting Director of the Personal Certification  
17 Division.

18 **MR. FRASER:** For the record, John Fraser,  
19 the Acting Director of the Personnel Certification  
20 Division.

21 Yes, we are satisfied that those  
22 qualification tests are proceeding as per planned, given  
23 the nature of the tests and the fact that they must be  
24 scheduled within the crew schedule who are also, of  
25 course, responsible for the operation of the plant.

1                   **MEMBER GRAHAM:** Mr. McCarthy, do you want  
2                   to comment?

3                   **MR. McCARTHY:** Joe McCarthy, for the  
4                   record.

5                   Yes, I agree with Mr. Fraser. We're in  
6                   constant communication with CNSC staff on this issue and  
7                   we're working to make sure that all the standards are in  
8                   place and all the procedures are actually drafted in place  
9                   to comply with the standard and we will meet the  
10                  expectation, yes.

11                  **MEMBER GRAHAM:** As Appendix G states, they  
12                  must be given before December 31<sup>st</sup>, 2006. Can you meet  
13                  those deadlines?

14                  **MR. McCARTHY:** That's affirmative. Joe  
15                  McCarthy, for the record.

16                  Yes, we can meet those deadlines.

17                  **MEMBER GRAHAM:** Okay. Just one other  
18                  question, Mr. Chair, that I have with regard to a question  
19                  that Dr. Dosman asked about when your plant is shutdown,  
20                  keeping your control room operator sharp, and so on.

21                  Do you have any agreement that you can work  
22                  and send them to say, another facility, with OPG or with  
23                  Bruce Power or with Gentilly-2 with regard to them working  
24                  or in conjunction with them at certain times? Or is there  
25                  a significant difference in the type of plant, that it

1           wouldn't be worthwhile?

2                           **MR. MCCARTHY:** Again, Joe McCarthy for the  
3           record.

4                           First of all, I think with the OPG plants;  
5           Darlington, Bruce and Pickering, it would be a significant  
6           difference and I think there would not be a lot of benefit  
7           gained. G-2, which is a similar plant certainly on the  
8           nuclear side, that's a thought -- we have put some thought  
9           into, I should say. We haven't made a firm decision  
10          whether we will do that or not but it's certainly  
11          something that we would consider.

12                          Again, I guess we need to look at how  
13          effective we think the simulator-based training program  
14          that we have in place, how effective that will be. We're  
15          quite confident that it will meet our needs, but it's  
16          certainly -- we're open to consider sending people to G-2  
17          if we think there's benefit in doing so. We're not  
18          adverse to doing so.

19                          **THE CHAIRPERSON:** Thanks.

20                          I'll just add a few questions of my own and  
21          then we'll start a second round of questions.

22                          I can't resist coming back to the diagram  
23          on the exceedences. And just in case I haven't quite -  
24          you mentioned this and I missed it.

25                          I was not so much -- I think you clarified

1       why there's a difference between the first line and the  
2       second line, a previous report of data versus the actual  
3       exceedences. What I was intrigued in is the degree of  
4       variation in the years 2000, 2001, 2002, 2003 of the  
5       previous reported data which are -- the numbers are 20 and  
6       then a dash -- I'm not quite sure what the dash means --  
7       one-third staff and then 50, and then it got down, I  
8       guess, to the pattern that you establish between lines one  
9       and two in 2004, 2005.

10               Why is there such a variation, then, in the  
11       first four figures there for 2000 to 2003 from year to  
12       year?

13               **MR. McCARTHY:** It's principally because --  
14       first of all I should mention -- Joe McCarthy for the  
15       record.

16               I've heard mention the dash just means  
17       there was none, for example. And then the reason, simply,  
18       for the variation is the lack of a structure in place to  
19       actually account for the actual hours that were worked.  
20       We relied on our preventative, or what we call our PICA  
21       system, Problem Identification and Corrective Action. And  
22       it's a trust sort of system. Yu know, you rely on people;  
23       if they're exceeding hours of work, then that's put into  
24       the system.

25               And because a lack of structure in the

1 process how it was done, in some instances people were  
2 using time sheets as a record, peak basis, other times  
3 people were using the PICA system which identified  
4 exceedences of hours of work. And then, again, there were  
5 instances where people were not entering the right time  
6 codes when they did a time sheet and, as a consequence,  
7 this did not get deducted off the actual, or the reported  
8 hours of work. So as a consequence, the hours of work  
9 were reported much higher than what they would have been  
10 had we been following the process as we do today.

11 **THE CHAIRPERSON:** And I think you're  
12 explaining it. I can understand that. What I'm then,  
13 asking you is, why did not your system -- because these  
14 are reportable figures; correct? You're reporting these  
15 figures to CNSC staff year by year. Why didn't internally  
16 you pick this up, this variation? There must be something  
17 wrong in the process that you were using when you saw that  
18 tremendous variation from year to year over that period of  
19 four years.

20 **MR. MCCARTHY:** I believe it was only --  
21 first of all, this as I recall was not necessarily a  
22 reportable under S-99. I could stand to be corrected on  
23 this, but I don't believe it is. I believe we relied on  
24 the integrity of the first-line supervisor of the  
25 individuals to report this. As a station, we were not

1 looking at the number of exceedences that closely.

2 And it was only when CNSC staff came to us  
3 in about 2003 and expressed concern about the number of  
4 hours worked that we actually went back and dug out our  
5 records to see what we had reported. That's when we  
6 identified the number of twenty (20) in 2000; zero (0) in  
7 2001 and one-third of our staff or 33 percent of our staff  
8 in 2002. It was only then that we must start to go back  
9 and look. Did we have that many exceedences? And when we  
10 looked at -- yes, we did; reported that many in our  
11 documentation. But we also recognized that we hadn't  
12 subtracted off a lot of the time that people got paid for  
13 that really wasn't work.

14 They were on call at home, they were on  
15 standby at home or they were on bank time or they were  
16 getting the credits to account for a 40-hour week from a  
17 pensionable service point of view. So it was a  
18 combination of a lot of things but as an organization we  
19 were not monitoring it very closely.

20 **THE CHAIRPERSON:** Okay. So the question  
21 then to CNSC staff: Is there a requirement or had there  
22 been a requirement from the year 2000 until the present  
23 time to systematically report such exceedences?

24 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
25 record.

1                   No, there is no such requirement. The  
2 reporting of his information was submitted to the CNSC in  
3 response to staff questions on the apparent amount of  
4 overtime being worked at the station.

5                   **THE CHAIRPERSON:** That would apply to other  
6 utilities too; is that correct? I mean this excessive  
7 overtime could be interpreted as affecting performance and  
8 therefore safety. Are you saying that under -- for none  
9 of the nuclear utilities that you're systematically  
10 tracking this factor of exceedence?

11                   **MR. LAFRENIÈRE:** Ken Lafrenière for the  
12 record.

13                   We are currently -- the responsibility to  
14 track this information is on a utility-per-utility basis  
15 and they do track it and CNSC staff monitors those numbers  
16 and that is one of the reasons why we were asking for this  
17 information.

18                   The history behind this was the change over  
19 to 12-hour shifts from the eight-hour shift schedules and  
20 there's been a series of work and we are developing  
21 standards that will harmonize all the requirements cross-  
22 industry and we will put in place industry requirements,  
23 for instance, on the number of consecutive shifts and the  
24 number of overtime hours and various other measures to  
25 ensure that staff don't get in a position of working

1 excessive overtime hours.

2 The real specifics of this, I can ask Helen  
3 McRobie to come up and explain the history behind all of  
4 this and where precisely she's at with the other industry  
5 licensees.

6 **THE CHAIRPERSON:** I guess I'm not looking  
7 for a long history. What I'm looking to find out is  
8 whether CNSC staff have a system, because I think it was  
9 somewhat contradictory, as I heard it from your comments,  
10 that on the one hand you didn't require the, in this case,  
11 NB Power to report it. On the other hand, you expected  
12 them to tell you if they were exceeding it. So it seems  
13 to me the easiest way is for you to have a system which  
14 they fit in with which is then applicable across the board  
15 to utilities so that there's a fairly systematic way of  
16 reporting these on the basis of human performance and  
17 safety.

18 So I think what I heard from your last  
19 comment was that CNSC staff doesn't have I'll say a  
20 rigorous system at the moment but you're perhaps working  
21 towards it and at the moment it's, in a sense, just being  
22 applied to NB Power. Perhaps I'll get clarification. Is  
23 that what I understand the present situation with CNSC is  
24 on the issue of work hour exceedances?

25 **MR. LAFRENIÈRE:** Ken Lafrenière.

1                   Let me clarify my statement and I'll go  
2                   over to Helen McRobie.

3                   It is not reportable in terms of the S-99  
4                   reporting requirements which is referenced in the licence.  
5                   So that's what I meant to say. It's not specifically  
6                   reportable. We don't have that criteria but we have  
7                   criteria that would capture, for instance, unsafe  
8                   behaviour, accidents and so on, which is reportable. But  
9                   the actual hours of work are not reportable.

10                  Now, I'll turn over to Ms. McRobie to add  
11                  more detail to that answer.

12                  **MS. McROBIE:** So all of the nuclear power  
13                  plants have limits on hours of work which are in their own  
14                  station procedures, and over the past couple of years we  
15                  have also been asking for reports on annual hours of work  
16                  to verify that there are not exceedances in the annual  
17                  hours of work, although there are also limits on hours of  
18                  work during a week and during a shift cycle and during the  
19                  year. But we have been getting information on just the  
20                  annual hours of work and we've also been carrying out  
21                  compliance inspections at the utilities.

22                  **THE CHAIRPERSON:** Thank you.

23                  I'll turn to another point and that's NB  
24                  Power's presentation page 12 of 13. This refers to the  
25                  escort service issues, security checks on fire-fighters

1 and emergency responders. They were indicating that they  
2 don't have security checks but they have a system of  
3 escorting those responders and fire-fighters when there's  
4 a need to go on site and it seemed to me a little unclear  
5 whether this was the procedure used, again, at other  
6 utilities.

7                   Could I get clarification from the CNSC  
8 staff about how this is dealt with in Ontario and Quebec?  
9 In other words, is NB Power using a system that is  
10 different or is there a mix across the board?

11                   **MR. LAFRENIÈRE:** Ken Lafrenière.

12                   I'll ask Grant Cherkas to answer that  
13 question but before he does I'll point out that there are  
14 various factors that go into whether somebody would escort  
15 somebody on site and respond to, say, a fire. In this  
16 instance, some utilities obviously have a much larger  
17 workforce resident within the site and would have granted  
18 access clearance but I believe the situation in New  
19 Brunswick is that they have a liaison with an offsite fire  
20 emergency system. But in terms of escorting uncertified  
21 staff on site, that is a normal practice that is carried  
22 out throughout the industry.

23                   **MR. CHERKAS:** For the record, my name is  
24 Grant Cherkas.

25                   New Brunswick Power's current protocol to

1 provide escorts for offsite emergency responders is  
2 consistent across the industry and actually beyond just  
3 power reactors, the nuclear industry in general, and it's  
4 not just for security reasons. It also facilitates a safe  
5 and timely intervention by offsite emergency responders.  
6 It gets them to the incident scene and helps control the  
7 emergency response activities in a safe and coordinated  
8 manner.

9 **THE CHAIRPERSON:** Thank you.

10 A separate issue of public information,  
11 this is page 8 of 13. New Brunswick Power, as we know,  
12 was asked to provide much more information on their Public  
13 Information Program and you certainly provided that with a  
14 long list of activities. I have two questions. One, you  
15 referred to community newsletters. So my question is, is  
16 that newsletter simply distributed in hardcopy or is it  
17 available in electronic version as well?

18 **MR. McCARTHY:** Joe McCarthy for the record.

19 I'll ask Pamela McKay to answer that  
20 question.

21 **MS. MCKAY:** Pamela McKay for the record,  
22 Director of Public Relations.

23 The community newsletter is distributed to  
24 our project community and local community around Lepreau.  
25 Hardcopies are delivered. We also make electronic copies

1 available on our website.

2 **THE CHAIRPERSON:** And the -- my other --  
3 perhaps an observation is that the list of activities that  
4 you have under public information and communications and  
5 so on is largely an outreach and I wondered if you, in  
6 this whole process of public information, you had  
7 addressed the kind of public information that you provide  
8 to your staff, which is a very considerable number, and of  
9 course they go out and live in communities and so on, and  
10 so you could treat them as people who would also be  
11 disseminating information to the community as a whole.

12 Have you improved over the last few years  
13 or made a sustained effort to actually inform and  
14 communicate better internally as well as the areas you're  
15 covering here which I would view as largely external?

16 **MS. MCKAY:** Pamela McKay for the record.

17 Yes, Mr. Chair, our staff are certainly  
18 communicated with as well. They are our number one  
19 priority when sharing information. So we consider them  
20 our first internal source; is our employees, our  
21 management team, our executive, our board of directors and  
22 then we go to our external resources which include our  
23 general stakeholders, community and members of the general  
24 public.

25 **THE CHAIRPERSON:** Thank you.

1                   Questions on the staff CMD 06-H4.C. Some  
2 of these have already been picked up, in particular by Mr.  
3 Graham. On page -- on the human factors that runs page 3  
4 and 4, just -- and I think that one's been covered. Under  
5 page 3, quality management, 3.2.1, the report indicates  
6 that the inspection team raised three action notices on  
7 specific parts of the process, et cetera, and this report  
8 is dated in March.

9                   **THE CHAIRPERSON:** What has been the result  
10 of these actions items? Have they been sort of closed at  
11 this point, or covered?

12                   **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
13 record.

14                   I will pass that question on to Burton  
15 Valpe, who is our site inspector and who was part of that  
16 inspection team.

17                   **MR. VALPY:** Burton Valpy, site office,  
18 Point Lepreau.

19                   Those action items were, in the grand  
20 scheme of things, fairly minor. Lepreau is actively  
21 working on responding to those at this time I have not  
22 seen the response as of yet, but it should be due shortly.

23                   **THE CHAIRPERSON:** And we will come back to  
24 the human factors and right at the top of page 4 it says:

25                   "NB Power Nuclear staff will provide

1                   CNSC staff with timeframes for  
2                   finalizing/implementing the human  
3                   resources planning process."

4                   Have you received that information from  
5                   N.B. Power at this point?

6                   **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
7                   record.

8                   No, we have not. I believe, if my memory  
9                   serves me correctly, that is due for the fall of this  
10                  year, but I would ask New Brunswick Power. Maybe they  
11                  might have additional information on that.

12                  **MR. MCCARTHY:** Joe McCarthy, for the  
13                  record.

14                  There are several parts of this. We are  
15                  developing a short-term plan to address our immediate  
16                  needs and needs in the foreseeable future. And we are  
17                  also, as I mentioned to Mr. Graham earlier, developing a  
18                  long-term -- an organizational-based document -- and we  
19                  have committed to have that to the CNSC -- I think it is,  
20                  if I remember correctly, March of 2008 -- I could be  
21                  corrected there, but I -- this is a longer term document.

22                  Most of the elements of this document  
23                  exist, they are just not in a structured format now. It  
24                  is really to allow us to better manage the organization  
25                  and also to allow us to have a reference point from which,

1 if you make a change, you can understand why you have made  
2 the changes. And you go back in history and understand  
3 why you made the change.

4 That is the only real commitment we have  
5 made to CNSC staff, as I recall.

6 The other one, we will be informing CNSC  
7 staff on an ongoing basis of our plan to -- from a  
8 demographic study point of view what our intention is to  
9 hire on the short term. We will be doing that, but I do  
10 not think we have a formal plan in place to do that.

11 The only formal plan that I am aware of is  
12 March 2008. I believe that is the date.

13 **THE CHAIRPERSON:** Okay. And a similar kind  
14 of question under 4.5, "Refurbishment", last sentence,  
15 first paragraph:

16 "CNSC staff generally concurs with the  
17 ISR findings..." --

18 that is the Integrated Safety Review -

19 "...however CNSC staff has requested  
20 additional information and updates..."

21 That is reference one. So again, have you received these?

22 **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
23 record.

24 We have not received that additional  
25 information as of yet and there are several issues, but we

1 have, for instance, met on one or two of the issues in the  
2 intervening time with New Brunswick Power Nuclear Staff to  
3 provide further clarification.

4 **THE CHAIRPERSON:** Okay. I guess, as a  
5 Commissioner, I think -- and I just use this as examples -  
6 - it is helpful if you can tell us the kind of timeframe  
7 when you expect response, otherwise these are just issues  
8 left hanging. And it is not quite clear whether -- in  
9 this case New Brunswick Power is delinquent in responding  
10 or whether it is -- you know, some of the questions cannot  
11 be resolved within two or three months.

12 I had other questions on fire protection.  
13 I think this is tied into the refurbishment process and so  
14 on.

15 Again, for the record, Mr. Lafrenière, you  
16 did comment on the changes to the conditions. I would  
17 just like to reiterate for the record that in the  
18 Commission CMD on page 7, Item 3, which is the update of  
19 the proposed Point Lapreau Nuclear Power Reactor Operating  
20 Licence, you therefore cover the conditions, specifically  
21 3.6, 5.1, 6.1, .2, .3, .4, .5 and 7.1, so I think, again,  
22 particularly for all the intervenors that we will get to  
23 largely after lunch, it is important to notice that,  
24 because this is a regulatory framework, that those  
25 conditions have been changed from the licence information

1 that we have had.

2 Do you wish to comment further? Or do you  
3 think this is satisfactory for the record?

4 **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
5 record.

6 No, no comment, that is correct, sir.

7 **THE CHAIRPERSON:** Okay. so we will proceed  
8 and see if there is any round two questions.

9 Dr. McDill?

10 **MEMBER McDILL:** Thank you, and I guess the  
11 Chair will guide me if my questions become inappropriate.

12 I think as we head into this afternoon it  
13 would be helpful if staff, in particular, could comment on  
14 -- I have four issues -- in comparing this work to other  
15 similar work at other stations, in terms of the length of  
16 time, the outage time -- as compared to perhaps, you know,  
17 time to refuel -- in terms of the overall scope of the  
18 work, in terms of the quantity of low, medium and high  
19 level waste and, finally, roughly the number of staff  
20 specialists available in comparison to those other  
21 projects.

22 Thank you.

23 **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
24 record.

25 I can provide answers now, if you wish ---

1                   **THE CHAIRPERSON:** I think you should, for  
2 the question has been asked.

3                   **MR. LAFRENIÈRE:** So the first question was  
4 basically in terms of the similar work and outage time,  
5 the CANDU Reactors have been retubed in the past. The  
6 Pickering "A" units come to mind. So there is precedent  
7 for that type of work.

8                   There is differences in terms of this  
9 retube involved replacement of not only the pressure tubes  
10 but the calandra tubes, which is something that has not  
11 been done on a large scale before. So there is  
12 similarities and there are differences.

13                   Overall, I would characterize this outage  
14 as having enough industry -- the industry has enough  
15 experience that we are confident that they will do this  
16 adequately and safely.

17                   In terms of the outage time, this is a  
18 typical outage for a retube. I would like to point out,  
19 though, that the past references I have just made were for  
20 reactors that had been previously shut down and the scope  
21 of their refurbishments was significantly bigger, because  
22 they had not been keeping an updated operating licence and  
23 operating regime in place and, therefore, design changes  
24 that would be made via the operating licenses were not  
25 made at those facilities.

1                   So that, I believe, answers the first two  
2 questions in terms of scope of work. The scope is not  
3 unusual, although it is unique to a CANDU-6 Reactor.

4                   In terms of the quantity of waste, I would  
5 expect the quantity of waste to basically reflect the  
6 retube outage. It should be somewhat more, because of the  
7 components that they are removing, right up to the feeder  
8 which is, again, something that has not been done. But  
9 then, I would temper that answer with the advances in  
10 tooling and technology, which will basically reduce that  
11 waste to very manageable quantities.

12                   I would also point out, for instance, other  
13 refurbishments that are before the Commission have  
14 different components that are being replaced, for instance  
15 steam generators. This is not a portion of that -- of the  
16 refurbishment outage so, therefore, the quantity would not  
17 necessarily be reduced. Also, there are differences in  
18 the size and scale of the CANDU Reactor, as opposed to the  
19 other reactors, so to put that in reference.

20                   Finally, your last question dealt with  
21 specialists, I believe, and I take it to mean that you are  
22 referring to CNSC staff specialists.

23                   We have access already -- our regulatory  
24 program has access to basically -- the numbers are roughly  
25 200 specialists -- the overall regulatory program

1 represents about 90 FTEs, if my memory serves me  
2 correctly, full time equivalents; that is, numbers that  
3 generally we have had access to in the past and going  
4 forward we expect to actually augment those numbers.

5 I will let Mr. Grant actually fill in the  
6 sort of hiring strategy, which is -- he can give you more  
7 details on it.

8 **MR. GRANT:** Thanks, Mr. Lafrenière.

9 I will just add, globally, with regard to  
10 refurbishment projects, I can see that the CNSC has been  
11 accorded increased resources in the recent federal budget  
12 and that we are undergoing an active hiring campaign to  
13 address these needs and we are meeting measured success.  
14 There is a tight market out there, but we are succeeding.

15 And, Mr. Lafrenière -- and other program  
16 areas have in place regulatory activity plans that define  
17 the activities that staff will undertake to oversee the  
18 licensee work and which define the level of resource  
19 needed.

20 So I believe that we are working towards a  
21 satisfactory situation with regard to staffing.

22 Thank you.

23 **MEMBER McDILL:** Thank you. I think that  
24 covers it all.

25 **THE CHAIRPERSON:** From a procedural

1 viewpoint, I thought I heard thunder, but it was actually  
2 the rumblings of stomachs in New Brunswick because they  
3 are at 1:00 now and it's getting a little past their  
4 lunchtime.

5 But, Mr. Graham, will you have many  
6 questions on this second round?

7 **MEMBER GRAHAM:** I have a few. So perhaps  
8 being in New Brunswick or else I'm getting hungry, so  
9 maybe we should.

10 **THE CHAIRPERSON:** Right. So what we'll do  
11 is we will call a lunch break for one hour, and we'll just  
12 continue with this when we return.

13 So if we can return at 1:00 o'clock Ottawa  
14 time I'd appreciate it.

15 Thank you.

16 --- Upon recessing at 12:02 p.m.

17 --- Upon resuming at 1:01 p.m.

18 **THE CHAIRPERSON:** Thank you.

19 I'd like to re-convene the hearing.

20 You'll recall that we were on the second  
21 round of questions from Commissioners which is usually  
22 much shorter. And Dr. McDill had finished and I'll turn  
23 now to Dr. Dosman. Do you have any more second round  
24 questions?

25 **MEMBER DOSMAN:** Mr. Chair, on Day One there

1 was some discussion of the computing system at Point  
2 Lepreau and I would just like to ask the company whether  
3 the issue of computer systems is part of the  
4 refurbishment.

5 **MR. McCARTHY:** For the record, my name is  
6 Joe McCarthy.

7 No, the DCCs, these are the control  
8 computers, they will not be replaced per se in  
9 refurbishment. Now, the computers associated with our  
10 shutdown systems will be replaced.

11 Now, the control computers, what we have  
12 done here is put a much expanded maintenance program on  
13 those computers and we're upgrading them as we speak,  
14 basically. Each year we are increasing our maintenance  
15 program; basically doubled it. The intent is about 2000 -  
16 - I can't remember the exact date, but it's around 2016 --  
17 we're currently now working with the rest of the industry  
18 in COG to come up with a new computer and we would intend  
19 to put that in, in about 2016.

20 But in the interim, we have increased our  
21 maintenance program to give us the required level of  
22 reliability and we're confident the reliability on those  
23 machines is great and we've had no problem whatsoever with  
24 those computers. So we're confident with the program that  
25 we've got in place that we'll be able to operate safely

1 and reliably for the next 12 years at which time we'll  
2 replace them.

3 **MEMBER DOSMAN:** Thank you.

4 Does CNSC staff have any comment?

5 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
6 record.

7 Only to concur with what Mr. McCarthy has  
8 said. We have various studies out there in terms of the  
9 reliability of these machines, loss of regulation  
10 accidents and we see no reason to question the behaviour  
11 or the performance of these machines.

12 **MEMBER DOSMAN:** There was also on Day One  
13 an issue of overall safety culture and I'd just like to  
14 ask Mr. Hay, as President Chief Executive Officer, if it's  
15 your view that safety culture starts at the top and  
16 permeates down, and if your executive is fully committed?  
17 And also I'd like to ask if your board -- I know your  
18 Chair is here today -- I don't know if you want to call on  
19 him or not -- but whether you are truly committed to the  
20 idea of safety culture?

21 **MR. HAY:** Thank you. David Hay for the  
22 record.

23 Yes, there is no question about it. We are  
24 fully committed to the safety culture throughout our  
25 entire organization. I think a comment was made earlier

1 that we can talk and talk about it, but there are some  
2 external indicia that give us comfort that we are moving  
3 in the right direction and that is that our workmen's  
4 compensation rates are the equivalent of hairdressing and  
5 officer workers in the province; in other words, in the  
6 lowest category in the province. We have, I think, an  
7 outstanding Vice-President of Human Resources who is  
8 committed to, basically, zero tolerance on safety.

9 And, I like the way you phrase your  
10 question; I wouldn't consider starting with the CEO, the  
11 top, in terms of safety culture. It does stop -- start,  
12 rather, at the top at the board level. We are routinely  
13 called upon by the board to provide safety reports to them  
14 and we do that and we are given every endorsement and  
15 encouragement to operate as a safe firm. And I would be  
16 happy -- I don't know whether Mr. Burney wants to speak  
17 but I'd be happy for him to address if he would like to.

18 **MR. BURNEY:** If I may, Commissioner, just  
19 reinforce what David Hay has said. This is a very serious  
20 matter for the board as a whole; it's looked at routinely  
21 by one of the committees of the board and the performance  
22 of the company in terms of safety is something that we're  
23 very proud of, but, you know, we are determined to earn  
24 that pride going forward as well as looking back on it.  
25 So I can assure you and your colleagues that safety

1 commands a high priority both for the board and for  
2 management and it's reinforced not only as a matter of  
3 regular reporting, but in terms of basic corporate  
4 governance we attach a high degree of importance to safety  
5 performance.

6 **MEMBER DOSMAN:** Thank you.

7 I'm just wondering if I might ask you, Mr.  
8 Hay. This is a pretty expensive undertaking. Obviously  
9 you're breaking new ground. It's a refurbishment. Is the  
10 company fully prepared for and committed to the  
11 expenditures that are involved including, I suppose, the  
12 possibility of cost overruns and so on?

13 **MR. HAY:** We are fully committed to it. It  
14 was a decision -- obviously it's of great significance for  
15 the entire province. We are a Crown Corporation and this  
16 decision was supported not only through a recommendation  
17 of our board, but by the province.

18 The funding for the project is done through  
19 provincial funding which is on loan to NB Power and so  
20 it's the credit rating of the province which supports this  
21 project. We don't contemplate cost overruns. We intend  
22 to bring this project in on budget. We do have,  
23 obviously, the credit of the province to work with, but  
24 its incumbent on us to ensure -- and all of the staff that  
25 you see here -- to see that we bring this project in on

1 budget.

2 **MEMBER DOSMAN:** Thank you.

3 Does staff have any comment?

4 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
5 record.

6 In terms of the first question on safety  
7 culture I'll point out that staff has done safety culture  
8 evaluations at Point Lepreau Generating Station; one in  
9 1998 and I believe the other one in 2003. And we concur,  
10 generally, with the findings that were expressed in the  
11 previous answers.

12 **MEMBER DOSMAN:** And on the issue of the  
13 sustainability of the certainty of finances and so on, as  
14 been expressed?

15 **MR. GRANT:** Ian Grant, for the record.

16 Dr. Dosman, staff is satisfied with the  
17 financial arrangements that New Brunswick Power has  
18 offered in its license application for matters such as  
19 decommissioning, but we have not examined the financing  
20 arrangements for this project. We believe that the  
21 management arrangements are in place, are suitable, and  
22 that the licensee is qualified to carry out the project,  
23 but the credit rating and the stability of financing is  
24 not something that we have inspected.

25 **MEMBER DOSMAN:** Thank you.

1 Mr. Graham?

2 **MR. GRAHAM:** Several questions.

3 As a follow-up to Dr. McDill's questioning  
4 and this is to CNSC staff, with regard to the  
5 refurbishment. I just didn't follow it correctly this  
6 morning -- or perhaps for clarification. You talked about  
7 200 staff will be involved in the refurbishment equalling  
8 90 FTE's, I believe it was, and so on. Is that -- will  
9 you be dedicating at least 200 people of which the  
10 equivalent of 90 full-time positions to the refurbishment  
11 of Lepreau? It seemed -- I'd like clarification on that.

12 **MR. GRANT:** Ian Grant, for the record.

13 Mr. Graham, I think the answer is, not all  
14 at once. Mr. Lafrenière was referring to the total  
15 complement of staff in the very specialist directorates  
16 and directorate of power reactor regulation.

17 Specifically for the refurbishment  
18 projects, as I previously mentioned, Mr. Lafrenière and  
19 other directors have prepared regulatory activity plans  
20 that specify the activity staff will carry out and also  
21 support resource estimates. These are cost recovered the  
22 licensees. We've provided New Brunswick Power with cost  
23 estimates.

24 I can see that overall for Point Lepreau  
25 it's of the order of -- and Mr. Lafrenière will correct me

1 -- about nine FTE's; eight, nine FTE's on average through  
2 the project. But these hours, the person hours are  
3 distributed throughout the relevant centres of expertise  
4 within the organization.

5 I hope that answers your question.

6 **MEMBER GRAHAM:** You have, because tomorrow  
7 we were looking at another license and another aspect of  
8 refurbishment or starting up of units and I was just  
9 wondering how large CNSC was going to have to recruit to  
10 accommodate all of these projects.

11 Another question I had was with regard to  
12 NB Power. If I recall, and refresh my memory, the  
13 significant development report sometime ago or not that  
14 long ago with regard to standby generators not operating  
15 and so on and it had some problems, when you go into a  
16 shutdown stage for refurbishment you will have to maintain  
17 -- I'm not sure, is it 40 megawatts of power, something to  
18 keep the plant on a standby position and so on.

19 Do you have -- my question is do you have  
20 the necessary standby generation that doesn't become  
21 standby; it becomes permanent generation all of the time  
22 that that plant is in refurbishment for that x number of  
23 months that it's going to take? Do you have the necessary  
24 auxiliary power?

25 **MR. McCARTHY:** For the record, Joe

1       McCarthy.

2                       First of all, the 40 megawatts you referred  
3       to, Mr. Graham, that's the power we consume on a regular  
4       basis when the plant is running which we call station  
5       service. The alternate power or the backup power is  
6       supplied from what we call Class III standby diesel  
7       generators. Both of these together have a combined  
8       capacity of about 10 megawatts. Either one would suffice,  
9       okay, for a shutdown reactor which is less than five  
10      megawatts. The two of them are currently available and we  
11      plan to keep them available. We do have some reliability  
12      concerns with the standby diesel generators and, in fact,  
13      we are currently working to build a business case with the  
14      intent to put a third one in, in the refurbishment period.  
15      But in terms of meeting the power requirements for the  
16      refurbishment, it's not an issue. We'll still be  
17      connected to the NB Power grid. Okay.

18                    **MEMBER GRAHAM:** I realize that, but two  
19      summers ago we faced a major blackout in eastern North  
20      America through a problem. You have a nuclear plant that  
21      will be in the refurbishment shutdown stage.

22                    What I'm wondering is do you have adequate  
23      auxiliary power in case of a reoccurrence of that eastern  
24      North America problem we had two years ago, to keep that  
25      plant in a safe shutdown position to protect the health

1 and safety of employees but also the safety of the plant  
2 in such a case -- if that experience -- I mean we have to  
3 -- when we're dealing with nuclear we have to deal with  
4 worst case scenario and what I'm wondering is, do you have  
5 the adequate auxiliary generation or standby generation  
6 that if you couldn't get power from the grid, NB Power's  
7 grid, at any given time, that you could maintain that  
8 plant in a safe shutdown position.

9 **MR. McCARTHY:** Joe McCarthy, for the  
10 record.

11 Mr. Graham, absolutely, we would have  
12 sufficient power. In fact, the requirements for power  
13 during the refurbishment outage would be less than the  
14 power requirements for a normal outage. So the answer is  
15 clearly, yes, we will have adequate power to support the  
16 auxiliary services required to maintain the safe operation  
17 and to maintain public protection.

18 **MEMBER GRAHAM:** How many megawatts are  
19 needed under refurbishment to ---

20 **MR. McCARTHY:** Well, probably -- I'm going  
21 to guess but it's probably less than two megawatts. I  
22 could be corrected, but it's certainly less than five and  
23 I actually believe it's less than two.

24 **MEMBER GRAHAM:** So at the refurbishment  
25 stage you have sufficient auxiliary power to maintain it.

1 If at the regular operation for the next x number of  
2 months that you got a plant that's going to run before  
3 refurbishment, and then this is probably significant to  
4 the licence that we're going to be -- that we're looking  
5 at today, do you have the adequate power to maintain that  
6 plant if you couldn't depend on outside power from the NB  
7 Power grid?

8 **MR. MCCARTHY:** Again, the answer is yes.  
9 We both -- we have actually four diesel generators that  
10 back up the station. We have two of what we call standby  
11 diesel generators. These are 10 -- combined 10 megawatts  
12 capacity, five megawatts each, either of which will  
13 provide the necessary source of power to maintain fuel  
14 cooling.

15 In addition to that, we have two of what we  
16 call emergency power diesel generators. These are one  
17 megawatt capability each and they again have -- they have  
18 a different mechanism for providing the cooling but they  
19 too can provide cooling of the reactor core. So in terms  
20 of providing cooling, we have ample power to do that.

21 **MEMBER GRAHAM:** You referred to 40  
22 megawatts, and maybe you could refresh my memory because  
23 as the SDR came in, I think it's about a year ago now --  
24 with regard to that, what is the 40 megawatts requirement  
25 of NB Power?

1                   **MR. McCARTHY:** The principal reason for the  
2                   40 megawatts when you're operating, the primary heat  
3                   transport pumps which are 9,000 horsepower motors and  
4                   there's four of them and when the reactor is running, it's  
5                   generating a lot of heat; about 2,000 megawatts. So you  
6                   got to put a lot of coolant through the reactor core in  
7                   order to keep the fuel cool. But once the reactor shuts  
8                   down or trips, the power drops off to less than 10  
9                   megawatts very, very quickly. So the requirement for  
10                  cooling is greatly reduced. So these large pumps shut  
11                  down and typically those four pumps alone would draw about  
12                  25 megawatts. So the bulk of the power consumption has to  
13                  do with the pumps running to support high power operation.  
14                  So when you are shutdown, you don't require this.

15                  **MEMBER GRAHAM:** So two years ago when the  
16                  power outage in Eastern North America happened, your plant  
17                  trips, does it, and it starts an automatic shutdown so you  
18                  don't require as much -- I mean, I know you didn't have to  
19                  because New Brunswick maintains its -- it wasn't affected  
20                  by that grid. Comparing New Brunswick and Quebec didn't -  
21                  - weren't affected like New England and Ontario, but if it  
22                  happened that we were affected, do you get an automatic  
23                  trip and then you require less electricity? Maybe -- I'm  
24                  asking these questions because I think intervenors need to  
25                  know also ---

1                   **MR. McCARTHY:** Those are fair questions.

2                   **MEMBER GRAHAM:** --- and the public needs to  
3 know exactly what the requirements are and what happens if  
4 there is a major outage across.

5                   **MR. McCARTHY:** First of all, Point Lepreau  
6 did experience or did feel the impact of the northeastern  
7 grid being upset at the time but our plant responded as  
8 per design intent. We actually dropped about 160  
9 megawatts and picked them up again within a matter of  
10 minutes. The plant did perform exactly as it was intended  
11 to do.

12                                 Now, the reactor would not trip  
13 automatically because we disconnected from New England.  
14 What may happen is you may get a process parameter that  
15 will go awry.

16                                 For example, if you couldn't take the  
17 electrical load, there was no place to dump it, then the  
18 steam pressure would go up, you would get high pressure  
19 and the reactor would trip on that particular parameter.  
20 In which case, the standby diesel generators would start  
21 up automatically and provide us the required backup energy  
22 to maintain the reactor safely.

23                   **MEMBER GRAHAM:** But you have adequate  
24 auxiliary power to follow these processes all the way  
25 through with the worst case scenario? I guess that's what

1 ---

2 **MR. McCARTHY:** That's affirmative.

3 **MEMBER GRAHAM:** Another question with  
4 regard to your -- and I realize your waste management  
5 facility is a separate licence and we've dealt with that  
6 already at another time, but this refurbishment is going  
7 to produce a tremendous amount of waste. Can the facility  
8 that -- the facility -- the construction of the new, as  
9 planned for the waste management facility and the  
10 canisters and so on, will be in place sufficiently to  
11 accommodate all the waste that's going to come out of the  
12 refurbishment when refurbishment starts?

13 **MR. McCARTHY:** That is affirmative. In  
14 fact, we are building the waste containers as we speak.  
15 That is to accommodate the waste that will be produced as  
16 a result of refurbishment. In addition to that, we've  
17 last year alone built additional 40 canisters to  
18 accommodate the amount of fuel that would be required to  
19 be put and moved from our spent fuel bays to offsite and  
20 that will be available -- that's already available for  
21 refurbishment.

22 **MEMBER GRAHAM:** For a matter of  
23 clarification, and with regard to financial guarantees,  
24 which is part of this and we've reviewed that and there's  
25 satisfactory guarantees in place, but the building of the

1 canisters for spent fuel and so on, the funding for that,  
2 does that come out of the financial guarantee or is that  
3 part of your general budget?

4 **MR. McCARTHY:** That's part of our general  
5 capital budget. The structures that are being built to  
6 house the waste that will be produced as a result of  
7 refurbishment, that's part of the budget, the capital  
8 budget for refurbishment. The normal -- dry canisters is  
9 part of the normal OM&A for the station because,  
10 typically, after seven years in the bay we remove the fuel  
11 from our spent fuel bay to the dry canisters. So that's  
12 part of our normal OM&A costs.

13 **MEMBER GRAHAM:** My other question, Mr.  
14 Chair, was with regard to site security and I'm not going  
15 into ramifications where we have to go in camera, but my  
16 question is with regard to contractors working on site on  
17 refurbishment. This will be directed to CNSC staff.

18 Because of the large number of contractors  
19 that will be on the site, non-NB Power employees and so  
20 on, are you satisfied that sufficient security measures  
21 will be in place to review these employees and also that  
22 the safety of the plant is not jeopardized?

23 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
24 record.

25 Generally, yes. In terms of the safety of

1 the plant, the licensee is responsible for that aspect.  
2 We are overseeing that discharging that responsibility and  
3 that applies to the security arrangements, also the  
4 responsibility for clearing the security level 9 people  
5 that require site access is put on the licensee.

6 I will ask our security specialist to maybe  
7 add more detail to that in terms of the overall process.

8 **MR. O'DACRE:** John O'Dacre, for the record.  
9 Acting Director of the Nuclear Security Division.

10 We have looked at the arrangements that NB  
11 Power has in place for the refurbishment project to clear  
12 contractors and the like, and we're satisfied that those  
13 arrangements meet all regulatory requirements.

14 Thank you.

15 **MEMBER GRAHAM:** Thank you.

16 **THE CHAIRPERSON:** Thank you.

17 That completes that part of the hearing  
18 process. We now move onto the interventions. Before we  
19 start, I would like to remind intervenors, as they have  
20 been reminded by writing, that in appearing before the  
21 Commission today, that we have allocated 10 minutes for  
22 each oral presentation, and I would appreciate your  
23 assistance in helping us to maintain that schedule.

24 Your more detailed written submission has  
25 already been read and will be duly considered. I'd

1 further say that that written material is part of the  
2 record and I would urge that you focus as much as possible  
3 so that the key points that you're making do become clear  
4 to the Commission in its deliberations and are well  
5 captured in the formal transcript from the hearings.

6 I'd also note that we have, as the  
7 Secretary reported, 36 intervenors in total. There are 14  
8 oral and 22 written and of the 14 oral, two (2) will be  
9 heard in Ottawa. We'll start with those two (2) and then  
10 14 will be from Saint John.

11 So I would like to first move to the first  
12 oral presentation by Mr. Ron Mawhinney, as outlined in CMD  
13 06-H4.2 and 06-H4.2A. Mr. Mawhinney is here to present  
14 this submission.

15 Sir, the floor is yours.

16  
17 **06-H4.2 / 06.H4.2A**

18 **Oral presentation by**

19 **Ron Mawhinney**

20 **MR. MAWHINNEY:** Good afternoon, Mr. Chair,  
21 Commissioners and general public.

22 For the record, my name is Ron Mawhinney  
23 from the city of Saint John in southwestern New Brunswick.

24 Being involved and associated with the  
25 fishing industry for the past 40 years, I am the owner of

1       Atwater Seafoods Limited, a wholesale and export lobster  
2       and fish company operating on the coastal area of  
3       southwestern New Brunswick and a close neighbour to Point  
4       Lepreau Generating Station.

5               In fact, as shown here on the screen, Point  
6       Lepreau Generating Station sits almost central within the  
7       most active area of our fishing industry along New  
8       Brunswick's southern coast. With its location, Point  
9       Lepreau since initial construction start up in May 1975 to  
10       the present has created a keen and watchful interest from  
11       myself and our whole fishing industry. We should be  
12       concerned as fishing has always been our life.

13              It is my view that during the past 30-some  
14       years Point Lepreau has acted highly responsible and  
15       caring towards the fishing industry, the local communities  
16       and our people.

17              I can remember as it was yesterday, the  
18       initial reaction on local fishing docks by fishermen to  
19       the announcement of beginning construction. After all,  
20       the adjoining communities had survived for the past 130  
21       years solely depending on the fishing industry in the  
22       Point Lepreau area. It was our total social and economic  
23       way of life and today provides 600-plus direct and  
24       indirect jobs for our communities. Initial reaction was  
25       quickly perceived as nothing but doom and gloom for the

1 fishing industry. Our initial reaction was far from right  
2 and 30 years later, through a great operating history,  
3 exceptional safety and environmental programs, Point  
4 Lepreau Generating Station is now regarded as a friendly  
5 giant in our community. This trust and respect has been  
6 well earned by being upfront and timely in reporting all  
7 happenings at the station to us. Communications and  
8 public affairs at the station has been top notch in this  
9 regard.

10 Also, the entire staff were the real fuel  
11 behind Point Lepreau, as we see them, have intermixed so  
12 normal into our communities you would think they were  
13 lifetime natives.

14 Our 2006 perception is nothing but clear  
15 support to gain approval for the next five-year operating  
16 licence and get on with refurbishment.

17 Secondly, let me explain our concerns of  
18 Point Lepreau being a responsible industry situated next  
19 to probably one of the most pristine stretches of  
20 coastline in the Bay of Fundy. For years, our fishing  
21 industry has been sustainable through strict conservation  
22 and protection measures of a multi-species fishery. Many  
23 who have been brought up in the Bay hearing an old line,  
24 "If you take something from the Bay, give something back  
25 or leave something from those yet to come".

1                   We are always concerned with our water  
2                   quality in the Bay, our beaches, and are always aware of  
3                   the environment around us. In the closest harbour to  
4                   Point Lepreau, approximately one mile away, some two to  
5                   three million pounds of live lobster are kept in a lobster  
6                   pound or pens waiting for shipment to markets worldwide.  
7                   Yes, again, water quality is important. Everyday out in  
8                   the Bay we see it all when looking ashore. The many  
9                   beaches and the area surrounding the station --- and I  
10                  must say that Point Lepreau Generating Station has been a  
11                  very responsible steward with the right training and  
12                  education to help maintain the Bay for future generations.

13                  A further example of coexisting with the  
14                  fishing industry is ever since 9/11 security in the areas  
15                  surrounding the station has drawn much more local  
16                  attention. Having a good cooperation between the fishing  
17                  industry and Point Lepreau Generating Station has alerted  
18                  our vessels in the area equipped with the latest in  
19                  electronic marine technology to become the extra ears and  
20                  eyes for added security in this area. We are proud to be  
21                  able to work with Point Lepreau Generating Station in such  
22                  areas as this.

23                  In my final paragraph, the coexistence of  
24                  Point Lepreau Generating Station and the fishing industry  
25                  in our area has worked well in the past 30 years. The

1 station and the communities have participated jointly with  
2 our industry and our yearly Fisherman's Day celebration,  
3 now in its fifth year. The first year we saw close to  
4 1,000 people brought together from our communities for a  
5 local public barbeque at the local dock. The many  
6 volunteers from Point Lepreau Generating Station have made  
7 this yearly event a success.

8 In closing, let me relate to a local  
9 newspaper's myth that when Point Lepreau first started,  
10 due to nuclear energy and its possible warming of the Bay  
11 in the areas surrounding Point Lepreau, our lobsters would  
12 now grow to double their size in normal half -- normal  
13 size in half the time. No, this did not happen, though it  
14 created lots of excitement and it's their only regret  
15 about Point Lepreau.

16 Thank you to the Canadian Nuclear Safety  
17 Commission, Mr. Chair, for your time in allowing somebody  
18 from our industry and the Bay of Fundy to make this  
19 presentation.

20 Again, thank you.

21 **THE CHAIRPERSON:** Thank you, and thank you  
22 for coming to Ottawa for the presentation.

23 The floor is open for questions or comments  
24 from Commissioners. Mr. Dosman -- Dr. Dosman.

25 **MEMBER DOSMAN:** I'm just wondering, Mr.

1 Chair, if Mr. Mawhinney is aware of there have been any  
2 studies looking for the possibility of tritium in the fish  
3 catches?

4 **MR. MAWHINNEY:** I'm sorry, sir, I quite  
5 didn't hear that. I'm a little hard of hearing, I guess,  
6 being around the water.

7 **MEMBER DOSMAN:** I'm just wondering, sir,  
8 whether you were aware if there have ever been elevated  
9 levels of tritium noted in any of the fish catches in the  
10 area?

11 **MR. MAWHINNEY:** That's something that we're  
12 not aware of. I can tell you, as far as the fish in the  
13 area, during the time that Point Lepreau has been there,  
14 our lobster stock and our scallop stock is very, very  
15 healthy. I have had the opportunity to work with  
16 biologists in that regard and we see no difference.

17 **MEMBER DOSMAN:** Thank you.

18 **THE CHAIRPERSON:** Perhaps we should ask  
19 staff if they wish to comment on that?

20 **MEMBER DOSMAN:** Yes, thanks, Mr. Chair.

21 **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
22 record.

23 Not being a lobster fisherman myself, I  
24 can't really comment on the health of the lobsters but in  
25 terms of our mandate we do regularly mandate the

1 collection of food samples to ensure that the regulatory  
2 limits imposed for the effluents of the station are  
3 respected and that we didn't see -- we have not seen any  
4 abnormal -- any increases or any emissions beyond the  
5 very, very small percentage of the derived release limits.

6 **THE CHAIRPERSON:** Thank you.

7 Mr. Graham.

8 **MEMBER GRAHAM:** Yes.

9 This is to CNSC staff. I realize that --  
10 or we all realize that the Bay of Fundy tides are some of  
11 the largest in the world so the flushing action is -- the  
12 mixing of water is probably very hard to sample. But my  
13 question to CNSC staff is, the monitoring that you do do,  
14 either in lakes or streams or in specific species of flora  
15 and fauna, do you make that information known to the  
16 public or is that a public -- is that published through  
17 any of CNSC's or through NB Power's websites or so on as  
18 to the results of testing, whether it be air, water or  
19 quality with regard to the question that my colleague has  
20 asked?

21 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
22 record.

23 Yes, the reporting requirements in terms of  
24 the release is airborne, waterborne are reported on an  
25 annual basis to the Commission and New Brunswick Power

1 Nuclear is complying with those reporting requirements.  
2 Those reports are available. I will ask the specialist  
3 who actually deals with that information maybe to  
4 precisely identify where they are available.

5 **MR. MUNGER:** For the record I am Steve  
6 Munger, Environmental Program Specialist.

7 It is true that the licensee submits an  
8 annual environmental monitoring report that they conduct  
9 as a licence condition. They sample several types of  
10 seafood and other consumables. The licensee publishes on  
11 their website the annual radiation dose to the members of  
12 the public, and the CNSC also publishes on its website the  
13 radiation index which gives to the public the annual --  
14 actually quarterly dose to the public from a station and  
15 those values are very low.

16 **MEMBER GRAHMAM:** Does NB Power care to  
17 comment about -- I guess it's the getting the information  
18 out to the public with regard to your sampling and so.  
19 Would you like to comment on how they go about finding  
20 that and what your record has been over the last few years  
21 as far as levels and so on?

22 **MR. McCARTHY:** For the record, Joe  
23 McCarthy.

24 I'm going to ask Laurie Comeau to provide  
25 an answer to that question.

1                   **MR. COMEAU:** For the record I'm Laurie  
2                   Comeau.

3                   As you have heard, we have an ongoing  
4                   radiation monitoring program for the station that actually  
5                   started before the station was built. So we had terrific  
6                   background information to start with. We do issue an  
7                   annual report which is available on request, but the  
8                   summer results of those are imbedded into the annual  
9                   environmental report for NB Power. So it's incorporated  
10                  and that, I believe, is on their website and it's fully  
11                  open to the public to see.

12                  In addition to that, as part of our  
13                  correspondence and interface with the community, our  
14                  newsletter -- one of the areas that we concentrate on is  
15                  environment. So as the annual figures are calculated we  
16                  actually report them as part of that newsletter as well,  
17                  and that's available on the website.

18                  **MEMBER GRAHAM:** A question to CNSC staff.  
19                  You had a base line before the plant was constructed. Do  
20                  you see any trends or any significant concerns that should  
21                  be made available at this time to the public?

22                  **MR. LAFRENIÈRE:** Ken Lafrenière for the  
23                  record.

24                  No, the environmental performance history  
25                  at Lepreau has been -- I would categorize as extremely

1 good. The releases are most times barely above natural  
2 occurring background and we've never seen anything above  
3 small percentages of their derived release limits.

4 I'll just -- maybe Mr. Munger can reinforce  
5 that statement.

6 **MR. MUNGER:** For the record, Steve Munger.

7 Just to clarify, CNSC staff does not do  
8 monitoring on their own but it is true that the monitoring  
9 conducted by the licensee, according to licence  
10 conditions, does show that the derived release limits are  
11 -- the actual release that's relative to the derived  
12 release limits are very small fractions. And there is  
13 also another monitoring program carried out by DFO staff  
14 out of the Bedford Institute that CNSC has copied on those  
15 reports as they come out and they show similar results.

16 **THE CHAIRPERSON:** Dr. McDill.

17 **MEMBER McDILL:** Thank you.

18 I'd like to refer to Mr. Mawhinney's  
19 comments on page 7 with respect to "extra eyes and ears".  
20 This is in the nature of, I guess, a community watch or  
21 neighbourhood watch kind of effect and I wonder if I could  
22 perhaps have NB Power comment on how that's utilized.

23 **MR. McCARTHY:** Joe McCarthy for the record.

24 Well, first of all, Point Lepreau  
25 management meets with the local community members of which

1 Mr. Mawhinney is one of the local liaison members of the  
2 communities. Also as part of that is the RCMP who also  
3 have a bay watch sort of program. So in our regular  
4 meetings we have discussions about what they see and what  
5 they don't see. There is no formal process by which we  
6 engage the local fishermen to do bay watches. It's just a  
7 natural part of the culture of the organization. They're  
8 concerned about their fishing business. We're concerned  
9 about any threat to Point Lepreau. So it's just having  
10 these shared common concerns that we work together and we  
11 get the desired results, I guess. We support each other  
12 in that context.

13 **MEMBER McDILL:** Has anything ever been  
14 reported?

15 **MR. MCCARTHY:** I'm not aware of -- I can't  
16 think of any incident where there was a -- I believe -- I  
17 shouldn't say that. I recall being at a community liaison  
18 meeting several years ago where someone did indicate that  
19 they had seen a ship out in the bay at one point, it was  
20 probably a little unusual, and they reported it to the  
21 RCMP. As it turned out it was a non-issue, but that's the  
22 only recollection I have of a reporting.

23 **MEMBER McDILL:** And I guess to staff, is  
24 this the only bay watch or lake watch of this nature that  
25 exist, do you know?

1                   **MR. LAFRENIÈRE:** Ken Lafrenière for the  
2 record.

3                   I'll ask -- well, I'll answer generally.  
4 In terms of the security arrangements at Lepreau, we have  
5 an ongoing dialogue with Lepreau and I would say they are  
6 in line with our requirements. I don't believe the  
7 requirements extend beyond the -- I'm trying to be careful  
8 here -- but beyond this, you know, out into the bay or  
9 where it does. But generally we are satisfied with their  
10 performance in the security area.

11                   I'll ask Mr. O'Dacre to fill in maybe a bit  
12 more of the details in terms of some of the communications  
13 they would have with the RCMP because I do know that they  
14 have an ongoing dialogue with the local police forces, not  
15 only the RCMP but also Saint John's and so on. But I just  
16 want to make sure that we're not ---

17                   **MEMBER McDILL:** It may not be necessary.

18                   **MR. LAFRENIÈRE:** Okay.

19                   **MEMBER McDILL:** I just wanted to -- thank  
20 you.

21                   **MR. LAFRENIÈRE:** Thank you.

22                   **THE CHAIRPERSON:** Good, because I don't  
23 think he is here.

24                   **(LAUGHTER)**

25                   **THE CHAIRPERSON:** I will move to our next

1 submission, which is an oral presentation by Ms. Anne  
2 Harding as outlined in CMD 06-H4.3 and 06-H4.3.A.

3 The floor is yours.

4 **06-H4.3**

5 **Oral presentation by**

6 **Anne Harding**

7 **MS. HARDING:** Good afternoon, Mr. Chair and  
8 members of the Commission. My name is Anne Harding and I  
9 have an interest in the licence renewal.

10 I have been a resident of the immediate  
11 community of Point Lepreau Generating Station since 1968.  
12 The reactor structure is built on my grandfather's  
13 homestead. My family history in this area goes back to  
14 the early 1800s.

15 After 32 years in the education system I  
16 have recently retired from the position of school  
17 principal at Fundy Shores School, a kindergarten to grade  
18 eight school located in Tipper Harbour, New Brunswick.

19 My presentation will concentrate on the  
20 role of Point Lepreau Generating Station as it pertains to  
21 the following four points.

22 One, the enrichment of the science program  
23 at Fundy Shores School; two, the plant staff sharing of  
24 expertise in raising environmental awareness with the  
25 students at Fundy Shore School; three, the exchange of

1 information between the community relations committee and  
2 the community; and four, the provision of information to  
3 the community by way of refurbishment project information  
4 sessions.

5 The first point I will discuss is the  
6 enrichment of the science program at Fundy Shores School.  
7 The staff at Point Lepreau gave a workshop to the teaching  
8 staff on the operations of the generating station. This  
9 included lectures, notes and demonstrations and enabled  
10 the teaching staff to include nuclear power in their  
11 science lessons.

12 The generating station staff have also  
13 visited the school on numerous occasions and have  
14 presented to the middle school students mini lessons on  
15 chemistry and physics at a higher level of study than  
16 required by the curriculum.

17 Periodically, they have loaned science  
18 equipment such as tripods, distillation equipment and  
19 density apparatus to enhance the science program.

20 Furthermore, for several years the staff  
21 has offered awards for academic excellence to middle  
22 school students.

23 The second point I will discuss is the  
24 plant's staff sharing of expertise and raising of  
25 environmental awareness with the students of Fundy Shores

1 School.

2 For several years, the generating station  
3 has sponsored an Earth Day contest which involves every  
4 student at the school. Students are assigned to teams and  
5 are required to work together on a project to raise  
6 environmental awareness. These projects have included  
7 such novel ideas as the largest tinfoil ball and the  
8 recyclable monster. The presentation of the awards for  
9 the winning project is always accompanied by staff's  
10 sharing with the students various ways to protect and  
11 enhance the environment.

12 The plant staff have also sponsored such  
13 activities as Clean-up Day, which involve providing  
14 equipment and support to the students as they picked up  
15 litter from the local roadsides.

16 Arbour Day, which involves providing trees  
17 to the students to be planted in the community and  
18 Marigold Planting Day, which involves providing students  
19 with mulch and potting soil for flower beds.

20 The third point I will discuss is the  
21 exchange of information between the Community Relations  
22 Committee and the members of the community. The purpose  
23 of the committee meetings is to disseminate to the  
24 community accurate and pertinent information regarding the  
25 generating station. Such information is presented in an

1 orderly and coherent manner, with plenty of opportunity  
2 for feedback and questions.

3 The Committee has addressed topics such as  
4 the application for the renewal of the waste facility  
5 operating licence, the Environmental Impact Assessment  
6 Regulation, emergency planning at Point Lepreau Generating  
7 Station and the Refurbishment Project.

8 In the From the Point Newsletter each  
9 Committee Member has been identified to facilitate  
10 communication with the community. Persons from the  
11 community are able to contact Committee Members with any  
12 questions and/or concerns they may have. These questions  
13 and concerns can then be discussed at the next Committee  
14 Meeting.

15 As a Committee Member, I believe that the  
16 staff is making every attempt to communicate to the  
17 community accurately and in a timely fashion.

18 The fourth point I will discuss is the  
19 information that is provided to the community at large  
20 through the Refurbishment Project information sessions.  
21 The generating station has held information sessions at  
22 the local fire halls for the community. These sessions  
23 include visual presentations in the form of large posters  
24 and videos. The staff is also well represented and  
25 professionally discusses the information with the public.

1 The data is presented in a clear, informative manner which  
2 is easily understood by the local population.

3 For the aforementioned reasons, I opine  
4 that the New Brunswick Power Nuclear Operating Licence for  
5 the Point Lepreau Generating Station should be renewed.  
6 As an educator and a member of the community, I suggest it  
7 is beneficial to the school, the environment and the  
8 community that the plant continues to operate.

9 Thank you for allowing me to participate at  
10 this hearing.

11 **THE CHAIRPERSON:** Thank you for your  
12 presentation.

13 The floor is open for any questions. Dr.  
14 Dosman.

15 **MEMBER DOSMAN:** Mr. Chair.

16 Thank you, Ms. Harding. I would just like  
17 to ask, in your view, is there any fear amongst the  
18 students in the schools about the plant?

19 **MS. HARDING:** Anne Harding for the record.

20 Absolutely not. They welcome the staff and  
21 they are very well aware of the Point. In fact, out on  
22 the playground they can often hear the loudspeaker coming  
23 from the Point.

24 **MEMBER DOSMAN:** Thank you.

25 **THE CHAIRPERSON:** Thank you.

1                   That concludes the two presentations here  
2                   in Ottawa. We will now have a videoconference link to  
3                   Saint John.

4                   So welcome, you all, in Saint John and we  
5                   move to the next submission, which is an oral presentation  
6                   by Mr. Ryan MacKenney, as outlined in CMD 06-H4.4 and 06-  
7                   H4.4A.

8                   Mr. MacKenney, the floor is yours.

9

10                  **06-H4.4 / 06-H4.4A**

11                  **Oral presentation by**

12                  **Ryan MacKenney**

13                                 **MR. MacKENNEY:** For the record, Ryan  
14                   MacKenney.

15                                 Dear Board Members, I would like to thank  
16                   you for granting my request to appear before you as an  
17                   intervenor in this hearing on the renewal of NB Power  
18                   Nuclear Point Lepreau Generating Station's Operating  
19                   Licence.

20                                 My career at Point Lepreau began on July  
21                   15<sup>th</sup>, 1991. I started working in the Security Department  
22                   and am now working at the Design Services, Procurement  
23                   Engineering Department.

24                                 I would like to take this opportunity to  
25                   provide you with an employee's perspective, from my point

1 of view, on safety culture and human performance at NB  
2 Power Nuclear Point Lepreau Generating Station.

3 Safety culture. The definition of safety  
4 culture is that assembly of characteristics and attitudes  
5 in organizations and individuals which establishes that,  
6 as an overriding priority, nuclear safety issues receive  
7 the attention warranted by their significance. That was  
8 the easy definition.

9 But what does it mean to me? Well, to me  
10 it means no matter what task I do, I must look over the  
11 task, thinking of how to carry it out safely without  
12 affecting equipment performance or causing harm to me or  
13 anyone else.

14 Also, I must keep safety in mind at all  
15 times and identify any problems or hazards that may affect  
16 equipment or personnel. This must be something that is  
17 done automatically without thinking about it. I find  
18 myself recognizing more and more things, not only at work  
19 but at home. I think that there must be something to  
20 this, as it working.

21 I want to give you some examples of safety  
22 culture. At work, noticing some coffee spilled on the  
23 floor; this may cause a person to slip or fall. Instead  
24 of waiting or just walking by, I recognize and immediately  
25 remedy the situation. How do I do this? I'll get

1 something to wipe it up and properly dispose of it.

2 Noticing a person in an area where personal  
3 protective equipment is required not properly wearing the  
4 same, I will stop and remind them that their safety  
5 glasses are hanging on their lanyard. They will  
6 immediately put them in place and usually thank me.

7 Noticing a piece of equipment that appears  
8 to be malfunctioning, I will take the item, file a SAP  
9 notification and notify the proper personnel, advising  
10 them of the problem. If I believe it to be a safety  
11 hazard, I will immediately notify the operations shift  
12 personnel on duty so they can have someone dispatched to  
13 assess the problem immediately.

14 At home, using a stepladder or stool  
15 instead of trying to reach something by using a chair, I  
16 now actually think of the consequences of not performing  
17 the task correctly.

18 Using a metal can to store extinguished  
19 cigarette butts to ensure that they are safely stored  
20 until they can be properly disposed of, this prevents any  
21 likelihood of extinguished butts causing a fire.

22 I live in an apartment building and I find  
23 myself notifying the landlord when the walkway is slippery  
24 so the hazard can be remedied. Not only think of yourself  
25 but how this can affect others living in the building.

1                   I would like to go on to human performance  
2 now. Again, I'll start with the definition. The  
3 definition of human performance is human performance is a  
4 series of behaviours intended to promote safe and reliable  
5 plant operation.

6                   What does this mean to me? Human  
7 performance is performing a task while using error  
8 prevention tools so that the task can be performed while  
9 reducing the likelihood of errors and arriving at the  
10 desired outcome.

11                   You may be wondering what are some of the  
12 human performance tools that are used? Procedure use and  
13 adherence, operating experience, questioning attitude and  
14 decision making, pre-job and post-job briefings, three-way  
15 communication, independent verification, self-check,  
16 start; stop; think; act and review, also coaching.

17                   Some examples at work, when performing an  
18 important task, I have asked a peer to verify the steps  
19 that I have completed to ensure that they were carried out  
20 correctly.

21                   When carrying out a task, I use procedures  
22 and follow them as they are laid out. I have questioned  
23 steps that were to be carried out to perform a task as I  
24 have noticed something was not correct in the procedure.

25                   At home, when paying bills online, I will

1 verify the amount and to whom I'm paying before finalizing  
2 the transaction.

3 When repairing something, I work through  
4 the steps and verify what am I going to do before starting  
5 the task.

6 When writing an important letter, I will  
7 have someone review it and question them on what I am  
8 stating in the letter.

9 In summation, I think that the measure of  
10 success of these programs can be done by the fact that  
11 these tools are not only used by me at work, but also at  
12 home. Thank you for your time.

13 **THE CHAIRPERSON:** Thank you for your oral  
14 contribution, Mr. MacKenney. Any questions?

15 Thank you very much.

16 We'll move to the next submission, which is  
17 an oral presentation by Mr. Lyman Spear. His outline is  
18 CMD 06-H4.5 and 06-H4.5A. Mr. Spear is in Saint John.

19 Sir, the floor is yours. Okay?

20

21 **06-H4.5 / 06-H4.5A**

22 **Oral presentation by**

23 **Lyman Spear**

24 **MR. SPEAR:** Good afternoon, Chair, and  
25 members of the Canadian Nuclear Safety Commission.

1                   My name is Lyman Randall Spear and I was  
2                   born in the village of Lepreau on June the 28<sup>th</sup>, 1933. I  
3                   was educated in a one-room schoolhouse in Lepreau. I was  
4                   later schooled in Montreal during the Second World War. I  
5                   finished my education at the Saint John Vocational School  
6                   and the Community College in Saint John in the electrical  
7                   trade. I became Postmaster for Canada Post in the Lepreau  
8                   Post Office.

9                   There is a lot I can say about the plant.  
10                  With me it started 34 years ago. I do not believe that  
11                  you want to hear 12,410 days of me giving a blow-by-blow  
12                  of all the benefits of having a neighbour like Point  
13                  Lepreau Nuclear Station. It will try to make a large  
14                  picture into a wallet-sized print with the time that I  
15                  have.

16                  First of all, thank you for accepting my  
17                  letter to be able to appear before you concerning the  
18                  renewal license for Point Lepreau.

19                  Thirty-four years ago, I watched daily  
20                  while delivering the rural mail to the Point Lepreau  
21                  lighthouse keepers and seeing surveyors cut and run lines,  
22                  not knowing what was going to happen, with no idea we were  
23                  going to have a power plant and it was going to be  
24                  nuclear. Over the months and years there were many  
25                  meetings with local residents; some were for, some were

1       against. Many thousand men and women, piece by piece;  
2       truckloads of material dug out, more truckloads of  
3       materials back in, the lighthouse keepers moved and more  
4       land cleared.

5                       Thousands of tonnes of steel erected.  
6       Cement was poured as a nuclear power plant emerged along  
7       with the reactor building. Then, a new administration  
8       building started to appear slowly, removing the temporary  
9       mobile office units. The 1980s countdown to start-up was  
10      on the horizon. The Point Lepreau lighthouse, which was  
11      the only building left on the original property and still  
12      is on-site today, the lighthouse was built by local  
13      carpenters. Chester and Ralph Taylor in the 1950s, now  
14      had a new neighbour.

15                      The Point Lepreau Nuclear Power Station:  
16      Point Lepreau and all surrounding communities within the  
17      20-kilometre zone could have flown flags from all around  
18      the world. For a short time, we had many countries  
19      represented by trades people, engineers, inspectors, et  
20      cetera. Some of them stayed and married, raised a family,  
21      and after 34 years still call Point Lepreau home. I  
22      believe this is one of the best recommendations that I  
23      could give you why I recommend the license approval for  
24      Point Lepreau One.

25                      I think you now know my feelings is that;

1 number one, is and has been good for the community. Just  
2 think what number two and three would do.

3 Not only the 30-years plus, employees  
4 retiring, living in the area with their children going to  
5 school and university, getting a pension from the Point  
6 Lepreau, grandfathers and grandmothers looking after their  
7 grandchildren and spending money that comes from their  
8 pensions that they made from the Point Lepreau Nuclear  
9 Power Station. It becomes a never-ending story.

10 The large picture is becoming smaller on  
11 why I would recommend to the Canadian Nuclear Safety  
12 Commission why a renewal license is warranted. I probably  
13 have been involved from almost day one, being the local  
14 postmaster at the time, and now retired; also a local mail  
15 delivery and a general contractor at the time, and having  
16 had over 30 employees working at the plant. Many of my  
17 employees became NB Power employees who have worked at the  
18 plant and some have retired. I have been told within the  
19 next few years the rest of my former 1980 employees will  
20 retire.

21 I'm very proud of these friends and  
22 neighbours. I still, when meeting with young people,  
23 either one-on-one or when I'm instructing groups of young  
24 people on safety, my word to them is, stay in school,  
25 graduate, then go to trade school, learn a trade, do your

1       apprenticeship, get certified and you may be the next to  
2       retire from the Point in 2036. The picture is getting  
3       smaller.

4                   In conclusion, I will say a few words on  
5       safety at Point Lepreau Nuclear Generating Station and the  
6       20 kilometre radius from the centre of the reactor  
7       building. Many visits to the Point over the years,  
8       meeting with Kathleen Duguay and staff and many managers;  
9       Rod White, Joe McCarthy, Gaetan Thomas and many more  
10      conscientious employees hold nothing back, making sure  
11      that the local public know how the plant is operating,  
12      explaining why the plant shut down, and when it will be up  
13      and making money again.

14                   Security inside the fence is controlled by  
15      the site security with a job well done. The safety man at  
16      the Point is Brian Shanks who works with the wardens and  
17      the Emergency Measures Organization. Outside the fence,  
18      within the 20 kilometre radius; is looked after by the  
19      Point Lepreau wardens, of which I am Chief Warden. I have  
20      a Deputy Warden and 20 area wardens, and we are under the  
21      direction of Gus March, who is a Public Safeties Officer  
22      with the New Brunswick Emergency Measures Organization.  
23      Our job is to assist the RCMP in case of an evacuation.  
24      Each one of my wardens is equipped with a page and a  
25      public safety portable radio, which is carried 24/7.

1                   The wardens, along with the Musquash  
2                   Volunteer Fire Department and Chief Wayne Pollock who is a  
3                   warden, do a demographic survey delivering KI pills on a  
4                   routine basis to 1,500 plus or minus homes. We report to  
5                   Public Safety in Fredericton on births; deaths; new  
6                   construction; families moving; residents that have special  
7                   need in case of an evacuation.

8                   We also maintain a CSN device equipped to  
9                   each telephone in the area in case of an announcement from  
10                  Public Safety Emergency Measures Organization in  
11                  Fredericton. If an announcement came from Public Safety  
12                  the Point security and the Point Lepreau wardens are ready  
13                  and trained for any emergency. This is why I recommend  
14                  the Power Reactor Operating Renewal Licence for the Point  
15                  Lepreau Nuclear Generating Station be granted by your  
16                  Commission, the Canadian Nuclear Safety Commission.

17                  This large picture is only one of many  
18                  large pictures of the Point Lepreau Nuclear Power Station  
19                  site. My picture has come to wallet size.

20                  Thank you for listening.

21                  **THE CHAIRPERSON:** Thank you, Mr. Spear.

22                  Any questions from Commissioners?

23                  Mr. Graham?

24                  **MEMBER GRAHAM:** Just one question to CNSC  
25                  staff; the warden system that Mr. Spears outlined that's

1 in place around Point Lepreau, is this a similar system of  
2 other nuclear generating plants, or is this specific to  
3 just Point Lepreau?

4 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
5 record.

6 I believe it's a unique system, but I will  
7 ask, I believe -- I don't see anybody, any staff available  
8 to back me up on that. But I do believe it is a unique  
9 system.

10 **MEMBER GRAHAM:** And to Mr. Spear, this is a  
11 -- the warden system augments emergency measures and it's  
12 strictly a volunteer system by -- this is not a paid  
13 system, the wardens are not paid. These are on volunteer,  
14 are they?

15 **MR. SPEAR:** Volunteer, sir.

16 **MEMBER GRAHAM:** Thank you very much. I  
17 think that's maybe a lesson to other areas. Thank you.

18 **THE CHAIRPERSON:** Thank you.

19 We're going to switch two presentations at  
20 the request of the two presenters. The presenter was to  
21 have been Mr. Dalzell for the Saint John's Citizens  
22 Coalition for Clean Air, and he's relinquishing his  
23 position and will take the position of Mr. Coon, who will  
24 speak next. Mr. Coon is speaking on behalf of the  
25 Conservation Council of New Brunswick.

1                   So the next presentation will be CMDs --  
2                   and I will repeat this so that you can find it -- CMD 06-  
3                   H4.15 and 06-H4.15A. So this is from the Conservation  
4                   Council of New Brunswick, CMD 06-H4.15 and 06-H4.15A. Mr.  
5                   David Coon is a policy advisor, and we're just waiting for  
6                   the camera to find Mr. Coon in Saint John.

7                   Mr. Coon, the floor is yours.

8  
9                   **06-H4.15 / 06-H4.15A**

10                  **Oral presentation by**

11                  **Conservation Council of**

12                  **New Brunswick**

13                  **MR. COON:** Thank you, Mr. Chairman, and  
14                  good afternoon to the Commissioners, and thank you to Mr.  
15                  Dalzell for switching positions to accommodate some family  
16                  responsibilities I have. I appreciate that, Gordon.

17                  Before I begin, Mr. Chairman, I had a  
18                  request from a Mr. Larry Lack, a citizen of St. Andrews  
19                  who was unable to get his submission in on time and  
20                  wondered if at the end of my presentation, if there was  
21                  enough time, whether you would permit me to convey the  
22                  three points that he wanted to raise with the Commission.  
23                  It takes about two minutes at the most.

24                  **THE CHAIRPERSON:** I would encourage you to  
25                  include within your 10 minutes, but you're welcome to



1 became so clear in the many, many weeks of hearings that  
2 the Public Utilities Board held, that we participated in  
3 as intervenors, the nuclear reactor is to be stripped down  
4 completely to its Calandria vessel and rebuilt from the  
5 inside out with all new alloys, with different  
6 infrastructure to support the pressure tubes within the  
7 Calandria tubes. The nuclear reactor, in fact, to be  
8 commissioned in 2009 or 2010 is not the same nuclear  
9 reactor that will go offline in 2008. It's a new core in  
10 an old Calandria. That is, of course, assuming that all  
11 goes well.

12 One of the things that came out at the  
13 Public Utility Board's hearing was that there is a risk  
14 that once they have the fuel channels removed, that  
15 pressure tubes and Calandria tubes -- that interior  
16 inspection of the Calandria vessel reveals that their  
17 problem may be problems with the welds.

18 In that case, then what happens and how  
19 does that decision get made? One of our concerns  
20 particularly is the increasing use of risk/benefit  
21 analysis. NB Power says they're committed to the safe  
22 operation of the plant; yet decisions about how safe are  
23 made with the input of a cost/benefit analysis. So if  
24 it's not too costly, then we can be as safe as we can.

25 Additionally, there may be, with a new

1 reactor core, new interactions to consider between the new  
2 nuclear reactor housed in that old Calandria hull with  
3 systems that it interacts with directly or indirectly.

4 In fact, I think one of the staff mentioned  
5 from CNSC, this is the first time a CANDU 6 has ever been  
6 refurbished in this way with the removal of both pressure  
7 tubes and all Calandria tubes.

8 So we see that the CNSC has an obligation  
9 here to make sure, on behalf of us all, that we get it  
10 right the first time, that we err on the side of public  
11 safety.

12 Of course, with the reactor shutdown and  
13 the plant shutdown over, say, a two-year period, this  
14 provides an opportunity for CNSC to require other safety  
15 systems in the nuclear plant to be improved.

16 Issues around the emergency core cooling  
17 system that have been raised in the past, stemming from  
18 the original performance test which found deficiencies and  
19 its history of unavailability, issues around, well,  
20 particularly, relocating the steam lines running over the  
21 media control room, replacement of the boilers before they  
22 get too old, upgrading of the computer hardware system  
23 which is getting on in years, and looking at how best to  
24 minimize tritium releases as the re-commissioned plant  
25 ages past year 25 towards 50.

1           At the same time, we think it will provide  
2           an opportunity to modernize the safety analysis basis in  
3           anticipation of a new licence in 2010 or 2009 for the new  
4           reactor core, using the regulatory guide C-6, Revision 1  
5           from the Guide for Safety Analysis of Candu Nuclear Power  
6           Plants. We feel this would ensure that, in fact, the  
7           highest level of attention will have been given to  
8           protecting the safeguarding the safety of New Brunswickers  
9           from the operation of the rebuilt nuclear reactor at  
10          Lepreau.

11           You know, when you take an old public  
12          building and gut it and do substantial renovations, you're  
13          required to bring it up to code to protect the safety of  
14          the users, the public users of that building and not  
15          simply use the code that was in place in the past.

16           Our position is that this is the kind of  
17          approach that should be taken with a rebuilt nuclear  
18          reactor. So, in fact, licence, yes, should be renewed for  
19          a two-year period, not the five-year period for the  
20          reasons I have outlined and the opportunities that I have  
21          outlined that this will provide, and then require NB Power  
22          Nuclear to reapply for the licence prior to restarting and  
23          commissioning the refurbished plant.

24           With respect to Mr. Lack's points, he had  
25          three, which I will pass onto you. One is he felt that it

1       was critically important that your decisions about the  
2       licence status should give consideration to requiring some  
3       kind of epidemiological studies in the area of the plant  
4       to ensure that there's some kind of baseline information  
5       today for going forward, and then that information should  
6       be released to the public so that those whose lives might  
7       be affected by the operation of the plant can express  
8       their opinions about licensing in the future based on a  
9       full understanding of how the reactor's operations may or  
10      may not affect the nearby population. So that's the first  
11      point.

12                     The second point has to do with licensing -  
13      - making a licensing decision about the reactor at Point  
14      Lepreau without widespread public understanding and  
15      acceptance of the very long-term costs and  
16      responsibilities associated with the cost of waste  
17      management to future generations. And he suggests that  
18      that awareness should be determined by some kind of public  
19      referendum or some other barometer of public opinion.

20                     And then his third point has to do with the  
21      role that Point Lepreau could play in the proliferation of  
22      nuclear weapons.

23                     As you are no doubt aware, several decades  
24      ago, it was Canada's sharing of nuclear technology with  
25      India that helped contribute to India's Nuclear Weapons

1 Program, which helped contribute to the fact that Pakistan  
2 decided they needed one too, and that's just continued  
3 with one of the key Pakistani nuclear scientists sharing  
4 that knowledge with others outside of the country.

5 As you are aware, Point Lepreau is Canada's  
6 principal showroom and training centre for CANDU 6s, the  
7 export reactor and for promoting export sales.

8 So his position is that given that and the  
9 number of people who go through the plant, take part in  
10 training there and so on, that a condition of licensing  
11 approval for Lepreau should relate to cessation of any  
12 programs promoting the export of expertise or technologies  
13 from CANDU 6, which has the potential to contribute to  
14 weapons proliferation.

15 Those are the three points he wished me to  
16 pass on.

17 **THE CHAIRPERSON:** Thank you, Mr. Coon.

18 Any questions on this submission?

19 Dr. Dosman?

20 **MEMBER DOSMAN:** Mr. Chair, I would just  
21 like to ask the company to comment on the location of the  
22 steam lines on the main control room.

23 **MR. McCARTHY:** For the record, Joe  
24 McCarthy.

25 Yes, we had an issue, or a perceived issue

1 with our steam lines, back right after Lepreau started up.  
2 We have done a lot of analysis on those lines and we made  
3 a case to the AECSB at that time indicating what we would  
4 do as a mitigating strategy. That was agreed to.

5 What it involved was the installation of a  
6 leak detection system that is currently in existence. As  
7 well, we put a second operator that is not normally  
8 available within the parts of the plant that could be  
9 affected by a steam line in the eventuality of a rupture  
10 or break. And this individual is located in a separate  
11 control room where they can deal with the critical  
12 functions necessary to maintain safe cooling of the  
13 reactor fuel.

14 In addition to that, we have commissioned a  
15 further study of the steam lines to ensure that, from a  
16 fatigue point of view, those lines will be safe for an  
17 additional 30 years.

18 In addition to that, we have got a design  
19 fix, a design fix in the sense that there is always some  
20 cyclic vibration in the lines, and we got a design fix.  
21 So now that is going to improve that and we intend to  
22 install that design during the refurbishment years.

23 And, like I said, the analysis that is  
24 currently ongoing, if it determines that we do need  
25 additional supports or stabilizing snubbers or whatever,

1 then it is out intent to put them in.

2 But we are confident the steam lines are  
3 currently safe and our plan to go forward is going to  
4 ensure that they remain safe. And we do not see an issue  
5 with it.

6 **MEMBER DOSMAN:** Thank you.

7 Mr. Chair, I wonder if I might ask CNSC  
8 staff to comment?

9 **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
10 record.

11 I would concur with what Mr. McCarthy has  
12 said. Staff has looked at the mitigating measures put in  
13 place and are satisfied with the measures going forward on  
14 the steam line behaviour.

15 **MEMBER DOSMAN:** Thank you.

16 **THE CHAIRPERSON:** Mr. Graham?

17 **MEMBER GRAHAM:** I have been several  
18 questions. The first one, I guess, relates to Mr. Coon's  
19 intervention from a third party, Mr. Lack, and that is a  
20 baseline study, epidemiology study.

21 Is that possible? Can that be done as a  
22 baseline for future? It seems like something that we do  
23 in different areas. Would CNSC staff like to comment on  
24 that?

25 **MR. LAFRENIÈRE:** Ken Lafrenière, for the

1 record.

2 I do not have the specific knowledge to say  
3 whether any epidemiology studies have been done or will be  
4 done.

5 In general terms I believe that this  
6 decision by the epidemiology community, in terms of  
7 studying populations, has been discussed before the  
8 Commission under other separate CMDs. And, if I recall  
9 correctly, there is a sort of ongoing effort to  
10 characterize and put that effort and studies where value  
11 can be gained.

12 For the specific Lepreau renewal, I will  
13 ask Mr. -- perhaps Mr. Munger, who is an environmental  
14 specialist -- maybe he can comment on it in terms of that  
15 aspect. I do not see our epidemiologist in the audience  
16 at the present time.

17 **MR. MUNGER:** For the record, it is Steve  
18 Munger.

19 Yes, epidemiology is not one of my strong  
20 specializations, but I would suggest that, given the very  
21 small radiation doses from the facility, that such a study  
22 probably would not reveal very much.

23 **MEMBER GRAHAM:** I think though, from what  
24 the presenter/intervenor was saying was not what it would  
25 expose right now, but it would be a baseline for future.

1 I believe that was the way I gathered it,  
2 so I am wondering if it would be something for a baseline.

3 I think that is correct, is it, Mr. Coon?

4 **MR. COON:** It's not a true baseline because  
5 the actual baseline should have been done prior to the  
6 original commissioning of Point Lepreau, something that  
7 many people argued for at the time in New Brunswick.

8 But here is an opportunity to pick up some  
9 kind of longer baseline perhaps, but our best chance of  
10 getting something like that.

11 **MEMBER GRAHAM:** Thank you.

12 I have another question and it is to CNSC  
13 staff with regard to licence length.

14 The recommendation -- the request -- is a  
15 five-year. I believe -- I recall Day One there was talk  
16 of a mid-term review.

17 Could you explain for clarification a  
18 licence -- if the plant is shut down, it still has to be  
19 licensed, because it is in a lay-up stage. So this  
20 licence would carry more or less three aspects.

21 One, the licensing for the first so many  
22 months with regard to operation. Secondly, the lay-up  
23 time of refurbishment and, thirdly, the start-up for the  
24 period of five years which has been requested, with a mid-  
25 term review.

1                   If there was a mid-term review, where would  
2                   that fall in? Would that fall in just after the plant  
3                   went down for refurbishment or partway through the  
4                   refurbishment?

5                   **MR. GRANT:** Ian Grant for the record.

6                   I will make a couple of observations about  
7                   the general approach to plant refurbishment and restart  
8                   and then turn it over to Mr. Lafrenière for the specifics.

9                   I would like to, first of all, agree with  
10                  you that the reactor -- whether it is operating or whether  
11                  it is shut down requires a licence. And it has been  
12                  staff's recommendation and the Commission's decision in  
13                  all previous cases where reactors have been shut down for  
14                  extended periods, that that has been carried out under and  
15                  operating licence. And that is staff's recommendation to  
16                  the Commission, that the operating licence be renewed and  
17                  that the refurbishment activities be carried out under  
18                  that operating licence.

19                  Staff has recommended to the Commission  
20                  that conditions be inserted into the licence to provide  
21                  appropriate regulatory controls on the safety and the  
22                  adequacy of the work that is done to bring the reactor  
23                  back up to condition and before placing it into service.

24                  Mr. Lafrenière, would you like to add  
25                  detail to my general remark?

1                   **MR. LAFRENIÈRE:** Ken Lafrenière, for the  
2 record.

3                   Yes, correct, in terms of the mid-term,  
4 staff are recommending that we report annually through the  
5 annual report mechanism and we will add a section on the  
6 refurbishment progress on an annual basis.

7                   We did not recommend a mid-term review  
8 proceed, but our traditional past practice has been to  
9 incorporate mid-term licence information in the annual  
10 report, in an expanded manner. So licences that would  
11 come up for the year annual report, that had mid-term due,  
12 we would combine all that information and expand the  
13 information for the Commission.

14                   **MEMBER GRAHAM:** Thank you.

15                   I have just one other question -- or one  
16 other comment with regard to the Conservation Council's  
17 submission. And on the second page they had three -- they  
18 related to three issues with subsection bullets and so on,  
19 which may require further clarification of them. We have  
20 covered a lot of them during the deliberation on Day One  
21 and so on.

22                   Will there be a -- and this is to NB Power  
23 Nuclear -- will there be an effort made to address these  
24 bullets that are outlined in the Conservation Council's 2,  
25 3 and 4 issues that they are bringing forward, that one

1 with longstanding issues with regard to the plant.  
2 Secondly, safety issues that may arise from refurbishment  
3 and, thirdly, safety issues with regard to post-  
4 refurbishment. Will you be addressing these, Mr. Coon?

5 **MR. McCARTHY:** Joe McCarthy, for the  
6 record.

7 I can answer each bullet specifically or I  
8 can give you a general statement. The answer is we're  
9 going to look at each one of these things. Specifically,  
10 we're going to be doing a PSA which is a Probabilistic  
11 Safety Assessment, and that document will be telling us  
12 what area we may have risk that we previously didn't  
13 anticipate. If we find that there is a risk that we  
14 didn't anticipate, it's our commitment to the regulator  
15 that we were going to fix that risk. That was part of our  
16 original licensing framework basis.

17 Other things that have been on the books  
18 for a long time, like Severe Action Management Guidelines,  
19 yes, we're working on that and, again, the PSA will tell  
20 us what we need to put in place to be able to effectively  
21 deal with these beyond design basis accidents.

22 The status of the boilers; we've had a  
23 number of detailed inspections of our boilers to ensure  
24 that they're in good shape today. We believe they're in  
25 very good shape today. Other things that suggest to us

1       that these boilers are good for an additional 30 years of  
2       operation is the fact that we've got higher resistant  
3       material in those boilers than other boilers that are  
4       currently in use in Canada today. We have Inconel 800  
5       material in the boilers, where I think most others have  
6       Incoloy 600 -- or I may have it mixed up -- it's Incoloy  
7       and Inconel. I don't know which it is. I may have them  
8       mixed up. But, nonetheless, we believe that our boilers,  
9       like I say, are in good shape today; different materials  
10      which make them less prone to corrosion. So we believe  
11      we're in good shape there.

12                   The moderator nozzles, the sort of thing we  
13      can't check, really, until we shut the reactor down in  
14      2008; and once we do remove the fuel channels and the  
15      calandria -- it's like anything. We're going to look to  
16      see if there's any place we can't see today. That's just  
17      one particular example. We intend to look on welds or  
18      whatever to see if there's any degradation. And if there  
19      is degradation, obviously we're going to fix it. I mean,  
20      we can't start off with a deficiency that's going to cause  
21      it to be shut down again in six months' time. It just  
22      really wouldn't make a lot of good business sense.

23                   So clearly we're going to look at all of  
24      these things.

25                   **MEMBER GRAHAM:** And these will be done in a

1 report to CNSC staff?

2 **MR. MCCARTHY:** As required, we will be  
3 reporting them, yes.

4 **MEMBER GRAHAM:** Thank you.

5 **THE CHAIRPERSON:** Dr. McDill.

6 **MEMBER MCDILL:** Thank you.

7 Mr. Graham just asked my question.

8 **THE CHAIRPERSON:** Mr. Coon, I wonder if I  
9 could ask two things of you. I was perhaps overly  
10 generous in allowing you to use a couple of minutes from  
11 Mr. Lack's presentation. We did, as the Secretary  
12 indicated at the beginning, rule out a couple of  
13 submissions because they were late and, in truth, Mr. Lack  
14 was late; I think, only bringing to staff's attention  
15 yesterday that he wanted to make this. So you kind of  
16 snuck it in. But I notice that you read a document,  
17 presumably Mr. Lack's submission, and although your words  
18 have been captured in the official transcript, it would be  
19 helpful, I think, if you were to give Mr. Lack's written  
20 submission to the CNSC staff as you leave.

21 And my second question is just since we've  
22 been on videoconference for a few minutes now, I just  
23 wanted to double-check that our audio transmission was  
24 satisfactory in the room there in Saint John. Could you  
25 speak for the group there?

1                   **MR. COON:** Do you want to check it now?

2                   **THE CHAIRPERSON:** No, no. Can you hear us  
3 in our responses back to you and so on?

4                   **MR. COON:** Everyone can hear?

5                   Yes, everyone says they can hear you fine.

6                   **THE CHAIRPERSON:** Okay, all right. One or  
7 two of the intervenors seem to be hearing not as well as  
8 you clearly have. So obviously the transmission is fine.

9                   Thanks a lot.

10                  **MR. COON:** Occasionally you do cut out, as  
11 someone from the audience just mentioned.

12                  **THE CHAIRPERSON:** Okay.

13                  So thank you very much for your  
14 presentation.

15                  We now move to the next submission which is  
16 an oral presentation by Kenneth A. Jonah as outlined in  
17 CMD 06-H4.7. So if you can flip back, I'll repeat that.  
18 CMD 06-H4.7.

19                  Mr. Jonah is in Saint John and the floor is  
20 yours, sir.

21

22                  **06-H4.7**

23                  **Oral presentation by**

24                  **Kenneth A. Jonah**

25                  **MR. JONAH:** Thank you.

1                   Good day Madame President and  
2                   Commissioners. My name is Ken Jonah. Thank you for  
3                   allowing me this opportunity to present today.

4                   I am a resident of Dipper Harbour and have  
5                   been living in this wonderful community since 1986. I  
6                   bring to you today in my presentation support for the  
7                   renewal of Point Lepreau Generating Station's operating  
8                   license.

9                   I am sure you can appreciate from your last  
10                  visit to our community the importance of safety and  
11                  environment decisions are to all of us in our community,  
12                  as we are surrounded with the beauty of a rugged coastline  
13                  and prosperous fishing industry. Therefore, I feel it is  
14                  important that it be recognized that this presentation is  
15                  one that has taken into consideration all aspects of which  
16                  I feel are important to our community.

17                  I would like to begin first to talk about  
18                  the benefits that Point Lepreau has brought to this  
19                  community and conclude with why I support the Point  
20                  Lepreau Station's licence renewal.

21                  For the past 19 years I have volunteered  
22                  with the local fire department and have seen our community  
23                  become a safer place to live because not only of the great  
24                  volunteers of our department, but through the generosity  
25                  of NB Power. Not only have they donated time, they have

1 provided us with equipment and support in the name of  
2 safety. They rent our facilities for training and allow  
3 the opportunity for us for on-site training.

4 The partnership continues to grow with NB  
5 Power and we look upon Point Lepreau and their staff as  
6 highly skilled and knowledgeable people that you are proud  
7 to be affiliated with.

8 As a former entrepreneur, I sold my  
9 business two years ago of a well-known restaurant. I have  
10 seen and benefited from the support of the Point Lepreau  
11 staff. In communities such as ours, we rely on the locals  
12 and any business in the area to support the establishments  
13 that are in place in order to succeed. Point Lepreau  
14 staff no doubt rose to that occasion and allowed for my  
15 wife and I to leave our business with a great sense of  
16 accomplishment. In owning the restaurant, we were given a  
17 great opportunity to educate many of our visitors on Point  
18 Lepreau, its importance and safety, and dispelled myths  
19 which often exist due to lack of knowledge.

20 From a safety standpoint, having resided in  
21 Dipper Harbour for the past 20 years, I find myself often  
22 being questioned about whether we fear living so close to  
23 a generating station. I am able, through having knowledge  
24 of the people working at Point Lepreau, their levels of  
25 skills and their motto of "Safety first", and I reply to

1 the questions, "I do not" and will often, once again, find  
2 myself educating people on Point Lepreau. My wife and I  
3 enjoy our lives in Dipper Harbour and feel very confident  
4 that our safety and those of others is being considered at  
5 the Point at all times.

6 The request for the renewal of Point  
7 Lepreau Generating Station's operating licence is one in  
8 which I support fully, given the first-hand knowledge of  
9 the consideration NB Power has given and continues to give  
10 to the environment in which it surrounds.

11 Clean energy is critical to ensuring a  
12 healthy community, and Point Lepreau has given this  
13 community no reason to doubt their commitment to producing  
14 such.

15 Thank you for the opportunity to allow me  
16 to express my support to the licence renewal of Point  
17 Lepreau.

18 Thank you.

19 **THE CHAIRPERSON:** Thank you, Mr. Jonah.

20 Any questions from the Commission?

21 No? Thank you very much.

22 Before moving to the next submission, I've  
23 got to challenge Mr. Graham's memory, because Mr.  
24 Lafrenière was looking for some support on the aspect of  
25 baseline epidemiology work and I see Dr. Patsy Thompson

1 has come into the room.

2 So Mr. Graham, would you like to pose your  
3 question again, if you could?

4 **MEMBER GRAHAM:** Thank you, Mr. Chair.

5 Dr. Thompson, to CNSC staff, in a presenter  
6 a few moments ago, New Brunswick Conservation Council, Mr.  
7 Coon, one of the recommendations that he had, a request he  
8 was making, was with regard to another intervenor, Mr.  
9 Lack, had suggested that for future reference, that there  
10 should be an epidemiology study conducted so that there  
11 would be some baseline for years out, 20, 30 years out.

12 My first question is, is that possible?

13 And has it been done for any other nuclear facilities?

14 Maybe I should put it in the way, first of all, has it

15 been done for any other nuclear facilities, and then, is

16 it possible?

17 **MS. THOMPSON:** Patsy Thompson for the

18 record.

19 The CNSC staff's position is that a base  
20 line epidemiological study on the risk of either cancer or  
21 hereditary diseases around nuclear power stations is not  
22 feasible and that position is based on the work that has  
23 been compiled by the IAEA and published in a report in  
24 2004 where they have essentially summarized the  
25 information from studies of -- such studies done for

1 populations living around nuclear power plants elsewhere  
2 in the world. And all of those studies have shown that in  
3 the case of hereditary diseases there is no concluding  
4 proof that there is a relationship between deformities,  
5 for example, that are attributable to exposure to  
6 radiation.

7 In the case of cancer, the incremental rate  
8 of cancer at the very low doses that are associated with  
9 releases of radioactive contaminants from nuclear  
10 processing or nuclear power plants is also equally low and  
11 is not detectable in populations where the natural  
12 background rate of cancer is quite high. The doses of  
13 radiation to members of the public that we find at  
14 stations like Point Lepreau, for example, it's between,  
15 you know, five and 10 microSieverts. The incidence of  
16 cancer for a population of 100,000 people would be less  
17 than one cancer due to that radiation exposure and people  
18 who have done -- who have tried to design studies to be  
19 able to detect such a very low increment have not been  
20 successful. And so our position is that there is enough  
21 information from the studies that have been done to  
22 indicate that the risk is extremely low and such studies  
23 are not feasible.

24 **MEMBER GRAHAM:** Only two points for the  
25 benefit of the intervenors in Saint John and maybe in this

1 room. Would you clarify for their benefit, IAEA, meaning  
2 -- I realize what it is. And secondly, you used an  
3 amount, a very low amount of milliSieverts of exposure  
4 compared to a base line of what, just so that we have that  
5 on the record.

6 **MS. THOMPSON:** Patsy Thompson for the  
7 record.

8 My apologies. The IAEA is the  
9 International Atomic Energy Agency. It's located in  
10 Vienna.

11 And the exposure to radiation of members of  
12 public around Point Lepreau is from exposure such as  
13 breathing the air, eating fish, drinking milk, that kind  
14 of pathway. The five microSieverts is essentially .005 of  
15 the public dose limit and the natural background radiation  
16 for people living in that area is between -- in Canada is  
17 between two and three milliSieverts; so about 1,000 times  
18 higher. And so the exposures to people around the plant  
19 are quite low.

20 **MEMBER GRAHAM:** Thank you.

21 **THE CHAIRPERSON:** Just to make sure for the  
22 transcript, that material that Dr. Thompson has provided  
23 was really in response to Mr. Lack's letter read by Mr.  
24 Coon on CMD 06-H4.15 and 4.15A.

25 So we'll now move to the next presentation

1 submission which is an oral presentation by the  
2 International Brotherhood of Electrical Workers - Local  
3 37, as outlined in CMD 06-H4.8. Sarah Barnes and Mr.  
4 Galbraith are here to present this submission and other  
5 members of the group are in Saint John.

6 So the floor is yours.

7  
8 **06-H4.8**

9 **Oral presentation by**  
10 **International Brotherhood of**  
11 **Electrical Workers - Local 37**

12 **MR. GALBRAITH:** Good afternoon, Mr.  
13 Chairman, members of the Commission. My name is Ross  
14 Galbraith for the record and I'm the Assistant Business  
15 Manager of Local 37 of the IBEW and it's my pleasure to  
16 carry the message to you today that Point Lepreau is safe  
17 and that the IBEW does support its re-licensing for an  
18 additional five-year period.

19 To give a little background, I am an  
20 employee of the Union and currently work in Fredericton  
21 for them. However, my background is that I did work at  
22 Point Lepreau at one time. My wife currently is an  
23 employee there and my brother is an employee there and of  
24 course I have many friends and colleagues that work at  
25 Point Lepreau, so I do feel that I have some insight on

1 the station. And of course I'm here with my colleague  
2 Sarah Barnes who is employed full time at the station and  
3 I can assure you that safety is the primary concern of our  
4 members and our families, and we certainly are prepared to  
5 talk about that today.

6 IBEW represents over 90 per cent of the  
7 staff at Point Lepreau and, as I've mentioned, many of  
8 those live and raise their families in the local  
9 community, most of them within the Saint John area. Quite  
10 a number of them live within -- literally within a few  
11 kilometres of the station and this demonstrates in the  
12 best fashion that we do in fact believe that the station  
13 is safe and it is run in an appropriate manner.

14 In my presentation today I would like to  
15 just focus on the positive labour relations relationship  
16 that does exist at Point Lepreau and the strong  
17 communications that exist between the Union and management  
18 and its members. I do believe that it's the strong  
19 communication, this good relationship that allows us to  
20 deal proactively with issues. I would like to focus on a  
21 few areas to give you a view of what I'm talking about and  
22 of course at the end of the presentation I would be  
23 delighted to answer any questions that you have.

24 I think that one of the things that does --  
25 is a hallmark of our relationship with the employer is

1       that we have the ability to be hard on issues but we also  
2       work hard to resolve them and we have a number of ways in  
3       place to deal with that.

4               I'd like to talk about our -- first of all  
5       the labour relations stability that we have at the site  
6       which is evidenced by the long-term collective agreement  
7       we have in place. I was the chief negotiator for the  
8       collective agreement that we currently have in place. We  
9       had ratified a seven-year agreement that went from  
10      December 2000 to December 2007 and we had intended that  
11      that would span the period of refurbishment. When it  
12      became apparent that refurbishment would start at a later  
13      date if the project proceeded, we met and had discussions  
14      with the company because we thought it was in our best  
15      interest to have a collective agreement in place that  
16      would span that project and make sure that there was  
17      labour relations stability in place.

18              We reached an agreement on an extension.  
19      We took that forth to our members for ratification in  
20      October 2004 and it was ratified by a very large  
21      percentage, close to 90 per cent. And you know, in this  
22      day and age, I think for the workforce, a large workforce,  
23      very diverse, to accept a collective agreement by that  
24      large percentage and for that duration, you know, going  
25      out many years in the future, is evidence of the

1 confidence of the employees that we can deal with issues  
2 in a proactive fashion.

3           The second thing I'd like to talk about are  
4 the proactive issues and resolution processes that we do  
5 have and it's true that we have issues that come up from  
6 time to time in the normal context of the labour relations  
7 experience. However, it's also true that we deal with  
8 them and we use a number of tools. We have a joint health  
9 and safety committee that is very active on the site and  
10 proactive. We have a local labour management committee  
11 that meets on a monthly basis to deal with any issues that  
12 have emerged. We have a high-level labour management  
13 committee that meets on a monthly basis.

14           We also have very strong daily  
15 communication. If there are any things that are  
16 developing, just in the normal operation of the plant,  
17 things that we should know about, we are in frequent  
18 contact with management. They will contact us to let us  
19 know how things are going. A lot of proactive  
20 communication, going around plant -- you know, projects or  
21 things that we're taking a look at.

22           We have a grievance process within the  
23 collective agreement that would allow us to deal with  
24 things that may arise within the labour relations context  
25 where a Union member may feel that the collective

1 agreement has been violated. I think this is telling in  
2 that over the last several years we've had only four or  
3 five grievances per year and it has been over six years  
4 since one of those grievances has gone to arbitration. We  
5 have been able to deal with these issues through the  
6 grievance process. I think that's telling.

7 Both those, you know, looking at the long-  
8 term collective agreement and the mechanisms we have in  
9 place to deal with issues, I think demonstrate the  
10 proactive relationship that we have today and the high  
11 level that we enjoy of a good relationship.

12 However, the third issue I'd like to talk  
13 about -- I'm going to turn this over to my colleague,  
14 Sarah -- is a recent initiative we have become involved in  
15 and that is the formation of a joint Human Performance  
16 Team to look at ways of having ever higher levels of human  
17 performance at the station and to deal with matters in a  
18 proactive fashion. And I would like to turn this over to  
19 Sarah at this time.

20 **MS. BARNES:** Mr. Chairman, members of the  
21 Board, for the record my name is Sarah Barnes and I'm a  
22 full-time employee at the Point Lepreau Generating  
23 Station. I'm also a member of the Union and a member of  
24 the joint Human Performance Working Team that Mr.  
25 Galbraith alluded to.

1                   This team was established formally in  
2                   January of this year and so it's still in its infancy and  
3                   it came about from two different directions back in the  
4                   fall or late summer of last year. Some Union members had  
5                   been discussing the possibility of a grassroots movement  
6                   to sort of move the station ahead to a 101 station, and at  
7                   the same time, we also had a new Vice-President named, Mr.  
8                   Gaetan Thomas, who brought many ideas of his own on how to  
9                   improve the station. These two directions line up very  
10                  nicely and it resulted in the culmination of this team  
11                  which was formally established in January.

12                  This team is comprised of members from all  
13                  across the station. All groups are represented and it's  
14                  all levels as well, line workers through management.

15                  Shortly after it was brought together, the  
16                  team went on a benchmarking trip to a station in the  
17                  United States, a 101 station, came back with several good  
18                  ideas that can be implemented at Lepreau, and we developed  
19                  our purpose statement soon after that, which is to create  
20                  a continuous learning environment and instilling  
21                  ownership, accountability and pride.

22                  The team recently conducted an occupational  
23                  culture inventory survey. The OCI survey is basically  
24                  intended to provide the team with an idea of the culture  
25                  at the station right now, the ideal culture at the station

1 and, in turn, that gives us the gaps to go from one to the  
2 other, the tools necessary to help bridge these gaps.

3 We'll be doing a second survey at about  
4 nine months to one year that will tell us how well we're  
5 doing on focusing on these gaps and improving the  
6 performance at Lepreau.

7 So while the team is still in its infancy,  
8 it's a very committed group that firmly believes it can  
9 bring the station up to a 101 level and beyond.

10 Thank you.

11 **MR. GALBRAITH:** That concludes our  
12 presentation, but we would certainly like to entertain any  
13 questions that you have at this time. Thank you.

14 **THE CHAIRPERSON:** Thank you for the  
15 additional information and the appendix that related to  
16 Ms. Barnes' presentation.

17 So questions from Commissioners? Dr.  
18 Dosman?

19 **MEMBER DOSMAN:** Mr. Chair, I wonder if we  
20 might hear from Mr. Thomas on his view of the joint Human  
21 Performance Working Team, how you thought of it and how  
22 it's working and what you see in the future?

23 **MR. THOMAS:** Well, this is not necessarily  
24 a new idea. I've worked with the -- for the record, I'm  
25 Gaetan Thomas. This is not a new idea for me. I've

1 worked with the Union a number of times over the last 10  
2 years.

3                   Actually, one of the learnings I had about  
4 10 years ago was with Ross Galbraith and Carol McLeod, who  
5 basically valued the importance of good labour relations.  
6 So we started, in my previous jobs, a formation of a  
7 Labour Management Committee focused on improved human  
8 performance and we saw some very, very significant  
9 results. So obviously in a nuclear station we always  
10 search for excellence and we always want to improve. We  
11 felt that this was a way to engage the staff. So we  
12 encourage staff at all levels in the organization to visit  
13 Seabrook, an IMPO-1 station. We sent 45 people there, so  
14 truly showing to the staff that we're committed to  
15 continuously improve, and that has really sparked a lot of  
16 renewed enthusiasm towards reaching a higher level of  
17 excellence.

18                   So this is something that myself and my  
19 team, Joe McCarthy, Jill Doucett, Keith Miller, all the  
20 senior staff, fully supports and we're seeing some  
21 results; you know, improved communications, and we need  
22 all the efforts from everyone to commit. We're looking  
23 for commitment and we're getting it, and we really  
24 appreciate the good relationship we have with the Union at  
25 the station.

1                   **MEMBER DOSMAN:** If I might ask Ms. Barnes,  
2 do you feel supported by management in your efforts on  
3 continuous improvement through the Union?

4                   **MS. BARNES:** For the record, Sarah Barnes.  
5                   Yes, we do feel fully supported by the  
6 management. We have some management that are members of  
7 the team and we also have regular correspondence with Mr.  
8 Gaetan Thomas and Ms. Jill Doucett and we have full  
9 support from all managers, yes.

10                  **MEMBER DOSMAN:** I wonder if I might ask, is  
11 Mr. Galbraith -- how amenable are your members to  
12 training, repetitive training? We've heard this morning  
13 about approaches to training during the shutdown period  
14 using a module and so on. How do you view the cooperation  
15 of your Union members on efforts in training?

16                  **MR. GALBRAITH:** I'm glad you asked that  
17 question. Three years ago I was appointed to a committee  
18 by my international union on lifelong learning and skills  
19 development in Canada, and it's been the position of our  
20 union on an international and also on a national basis  
21 that the key to our successful moving forward is to make  
22 sure that our members embrace lifelong learning. And  
23 certainly within the nuclear industry, this is something  
24 that has been embraced and our union's position is that  
25 this is one of the benefits of working in some of these

1 places.

2 We encourage our members. Our members  
3 embrace it. I find that they are thirsty for knowledge.  
4 They want to learn new skills, and we are working hard to  
5 make sure that our members gain these skills and our  
6 competitors and will move forward.

7 In fact, there is a recent initiative by  
8 our international office called the Code of Excellence  
9 Program, and we are rolling it out and asking our union  
10 members to commit to the highest levels of quality and  
11 service possible throughout the industry, and we're  
12 exploring how we may adopt a program like Code of  
13 Excellence for Point Lepreau and indeed the rest of NB  
14 Power. I see that our members and our leadership are  
15 hungry to maintain the highest levels of quality. We see  
16 ourselves one of the elite trades working in the  
17 electrical industry, and we want to maintain that  
18 position.

19 **MEMBER DOSMAN:** Mr. Chair, if I might, do  
20 you have confidence in the ability of the workers and the  
21 management to maintain skills during the shutdown period?

22 **MR. GALBRAITH:** Yes, I do. I have every  
23 confidence.

24 **MEMBER DOSMAN:** Thank you.

25 **THE CHAIRPERSON:** Thank you both.

1                   We'll move to our next submission which is  
2                   an oral presentation by the New Brunswick Society of  
3                   Certified Engineering Technicians and Technologists, as  
4                   outlined in CMD 06-H4.9 and 06-H4.9A. Mr. James Nyers,  
5                   the President, is joining us from Saint John.

6                   Sir, the floor is yours.

7                   **06-H4.9 / 06-H9.A**

8                   **Oral presentation by**

9                   **New Brunswick Society of**

10                  **Certified Engineering**

11                  **Technicians and Technologists**

12                  **MR. NYERS:** Did you hear me before? I  
13                  think we had problems.

14                  Mr. Chair, Members of the Commission, for  
15                  the record, my name is Jim Nyers. I am the President of  
16                  the New Brunswick Society of Certified Technicians and  
17                  Technologists, the acronym being NBSCTT.

18                  NB Power has been an active participant of  
19                  the Community College Co-op Programs for more than a  
20                  decade. Point Lepreau Generating Station has been a major  
21                  part of the Co-op students' program.

22                  The New Brunswick community college co-op  
23                  education endeavours are recognized by NBSCTT and other  
24                  stakeholders as a very beneficial and educational  
25                  partnership between the college, the employers and the

1 students and links the academic learning process with  
2 workplace through paid, practical job experience that are  
3 integrated with the learning objectives of the programs or  
4 studies. The co-op education exposes students to  
5 situations requiring the development of technical,  
6 interpersonal and team skills, as well as other ethics.

7 Co-op programs combine regular scheduled  
8 periods of academic training and paid practical work  
9 experience. Each work situation is developed and approval  
10 of the NBCC Saint John as an appropriate learning  
11 experience. Students apply for positions through job  
12 postings and are selected by the employer through an  
13 interviewing process. Students are visited onsite to  
14 monitor performance and progress. Employers evaluate the  
15 students' work performance. The co-op students return  
16 from the work placement and work skills and experiences  
17 are shared out of their opportunities with the students  
18 and the staff.

19 Benefits to the employer include access to  
20 motivated, skilled, productive employees, the opportunity  
21 to effectively evaluate potential, permanent employees,  
22 the reduced recruiting cost and improved retention through  
23 a better match of individuals with positions, increase the  
24 visibility and attracting qualified personnel and the  
25 opportunity to direct input through program content and

1 the development of the workforce.

2 The benefits to the students are the  
3 practical application of academic knowledge, the skills,  
4 knowledge required in a workplace, career information for  
5 decision making, development of human relations  
6 communications skills, remuneration of ease and financial  
7 burden of students, development of contact base for  
8 graduate employment and the refinement of effective job  
9 skills.

10 From our review of the document provided  
11 NBSCTT has noted that Point Lepreau Generating Station and  
12 Waste Facility has been operated in a safe manner, has not  
13 had an accidental release and has been consistently below  
14 established radiological emissions.

15 Therefore, NBSCTT wishes to place its  
16 support behind NB Power Nuclear and the renewal of the  
17 operating licence for the continued operation of Point  
18 Lepreau Generating Station.

19 Thank you for your time.

20 **THE CHAIRPERSON:** Thank you, Mr. Nyers.

21 Any questions, Mr. Graham?

22 **MEMBER GRAHMAM:** I just have one question  
23 to NB Power, and that is with regard to incentives,  
24 whether it be scholarship or chairs or whatever it is to  
25 universities and community colleges to more or less get

1 more young people interested in the field of nuclear  
2 engineering and nuclear technical work.

3 How much money do you spend a year in  
4 promoting to the New Brunswick education system in  
5 promoting education in the field of nuclear?

6 **MR. McCARTHY:** Direct -- first of all, my  
7 name is Joe McCarthy for the record.

8 Direct contribution to the universities is  
9 about \$70,000 plus an additional \$30,000 which is  
10 allocated through the COG, that's the CANDU Owners Group,  
11 which really it's a cross-Canada program which funds  
12 specific programs in areas that have an interest in  
13 nuclear.

14 In addition to that, we have relationships  
15 with the community college and the university as well, in  
16 where we hire summer students or co-op students. I  
17 haven't got an exact number for that, but at this point in  
18 time we probably have in the order of eight co-op students  
19 at Lepreau, a significant number of summer students,  
20 probably in the order of 15 to 20, and other university-  
21 type programs like PEP students. I can't remember the  
22 exact numbers, but all in all, probably today we are  
23 sitting with about 30.

24 So on average every year we have a  
25 significant number of co-op PEP or summer students, and

1       also, we participate with the community college because  
2       the feed stock, if you want, or the input to our  
3       operations program comes from the community college. So  
4       we have an upfront agreement with them that we will hire  
5       their staff once they -- or some significant portion of  
6       their trainees.

7                   **THE CHAIRPERSON:** Dr. Dosman.

8                   **MEMBER DOSMAN:** Mr. Chair, I wonder if I  
9       might ask Mr. Nyers how many members of your union are  
10      employed at the Point Lepreau plant.

11                  **MR. NYERS:** I don't believe I have the  
12      numbers. We have 2,100 members in our organization. It's  
13      not really a union; it's a technical association that work  
14      in hand with community college and we have certain  
15      disciplines that we have in our organization. Like for  
16      instance, my background, I'm a professional technologist  
17      on the electrical end of it but we don't have the numbers  
18      exactly how many we have at Point Lepreau.

19                  **MEMBER DOSMAN:** Does the organization  
20      participate in accreditation?

21                  **MR. NYERS:** Yes. Yes, we participate in  
22      accreditation. We allow certain educative programs to be  
23      at a certain level. If they're not within that level we  
24      do not accredit those programs or by not being accepted by  
25      our organization.

1                   **MEMBER DOSMAN:** Thank you for that  
2 information.

3                   **THE CHAIRPERSON:** Okay. We'll take one  
4 more submission before taking a coffee break just in case  
5 you were wondering.

6                   So we move to the next submission which is  
7 an oral presentation by the Canadian Nuclear Workers  
8 Council. This is outlined in CMD 06-H4.10 and 06-H4.10A.

9                   Mr. David Shier, President, is here to  
10 present the submission, and Mr. Donald Dixon, the CNWC  
11 site representative for Point Lepreau is joining us from  
12 Saint John.

13                   Mr. Shier, the floor is yours.

14

15                   **06-H4.10 / 06-H4.10A**

16                   **Oral presentation by the**  
17                   **Canadian Nuclear Workers**  
18                   **Council**

19                   **MR. SHIER:** Thank you.

20                   Good afternoon, Mr. Chairperson and members  
21 of the Commission. As indicated, my name is David Shier.  
22 I am President of the Canadian Nuclear Worker Council. We  
23 did decide today to take advantage of the new technology  
24 and my colleague Mr. Don Dixon is present to assist if  
25 need be in Saint John.

1                   Our council is a council of unions that are  
2                   involved in the nuclear industry across Canada anywhere  
3                   from the mining of uranium through to research, the  
4                   operation, right to the full cycle of the nuclear  
5                   business. We are also affiliated with a similar  
6                   organization based in Brussels which is International  
7                   Nuclear Network of Unions around the world.

8                   I'm going to be quite brief in my comments.  
9                   As I did indicate -- as you are aware, we did submit a  
10                  written submission, so I'm just going to make a few  
11                  comments on our written submission and a bit of an update  
12                  in some areas.

13                  Quickly, I'm just going to review our views  
14                  on health and safety, some comments on the workforce, our  
15                  views on the community perspective in the Saint John's  
16                  area and our recommendations and conclusions.

17                  In regards to health and safety, our  
18                  council has taken sort of a philosophical position, which  
19                  I think everybody in the industry would agree on, that  
20                  health and safety issues, hazards in the workplace and  
21                  nuclear facilities, if they are not eliminated or  
22                  controlled naturally will affect workers, but these same  
23                  types of hazards can affect the public and the  
24                  environment.

25                  Many of our member organizations, which I

1 should point out the Union at Point Lepreau is one of our  
2 active members of our council, and right across our  
3 membership health and safety is a very high priority with  
4 all the unions. And with all the different committees,  
5 joint health and safety committees set up, these are  
6 basically the frontline people that identify and go a long  
7 way in improving the safety performance of the different  
8 facilities.

9 We already heard about the health and  
10 safety initiatives at Point Lepreau and we naturally  
11 support those. Worker health and safety rights, a lot of  
12 the workers or all workers are very well aware of their  
13 rights and unionized workforces are not scared to exercise  
14 those rights if they feel there is a safety problem.

15 I'll make a few comments about unionized  
16 workforce. At the Point Lepreau station it would be about  
17 94 per cent of the workers in the facility are union  
18 members, and our belief is that a unionized facility is a  
19 safer facility. The simple fact that there is the  
20 internal structures to the union to assist members and  
21 workers bringing safety issues forward and making sure  
22 that they are protected in that particular area.

23 In this workforce there is lots of friends  
24 and family of the existing workers that work there. Also  
25 with the ongoing refurbishment we hope to see this plant

1 last for several years. It does create a good opportunity  
2 for youth employment in the area.

3 From a community perspective, as we've  
4 already heard, many of the workers reside in the  
5 community. It's quite common around nuclear facilities  
6 that workers live quite close by and raise their families.  
7 This is a testament to our belief that these facilities  
8 are safe and they are safe towards the environment. The  
9 workers in these facilities are involved in their  
10 communities anywhere from you know coaches in minor hockey  
11 and baseball to other community activities, and I'm sure  
12 they get asked lots of questions from the public at  
13 different times on questions around the Point Lepreau  
14 station.

15 We believe, from our Council, the community  
16 perspective is very supportive there. We would contribute  
17 a lot of that -- there's been a lot of initiatives there.  
18 One main initiative I would like to point out is the local  
19 union there. The IVW did a, what we consider, a  
20 remarkable job on a media campaign around the  
21 refurbishment of Point Lepreau. I think that helped  
22 satisfy people that -- it educated them on it. It also  
23 satisfied them that things were in a very safe state and  
24 there wasn't any concerns around the environment.

25 We heard about a poll this morning about

1       600 members. I would like to give you my perspective of a  
2       poll. We don't have a lot of money to do polls but I've  
3       been to Point Lepreau on a couple of occasions in the last  
4       year or so and I always poll the taxi drivers. In my  
5       business, when you mention nuclear you always get good  
6       questions, and I always found the community, and  
7       especially the taxi drivers, very hospitable in the Saint  
8       John area. They're very talkative compared to maybe here.  
9       I came in, in a cab, last night in Ottawa and the guy  
10      didn't say nothing at all. Well, that doesn't happen in  
11      Saint John. And yes, I've asked the question you know,  
12      what they think of Point Lepreau. They're all aware of it  
13      and they give very positive results and comments about it.  
14      So I kind of convey that on, that our perspective, based  
15      on that and other issues in there that we have heard over  
16      the years, that the community is very supportive.

17                   Our annual convention was held in Saint  
18      John last year. We did tour the Point Lepreau facility  
19      and the members of our council, about 35 people, labour  
20      leaders from across the country in the industry, saw  
21      firsthand and were very supportive of what they see.

22                   So from a labour perspective, the safety  
23      programs and processes in place kind of met the scrutiny  
24      of labour and we're very supportive of the Point Lepreau  
25      re-license.

1           So, again, I think it's quite clear that  
2 the public can be assured any issue involving public  
3 safety will be addressed by the onsite union and we are  
4 encouraging the CNSC to renew the operating license of the  
5 Point Lepreau Generating Station for the five-year period.

6           We would also comment on that as well,  
7 that, like other areas across the country where five-year  
8 licenses have been granted, there should possibly be  
9 consideration given to having an interim review during the  
10 period of that five years just to make sure everything is  
11 transparent and the public is given an opportunity to  
12 raise some questions and get an update of what is  
13 happening.

14           Thank you for your time and, actually, I'm  
15 pleased to take any questions or my colleagues in Saint  
16 John, Mr. Dixon, as well.

17           Thank you.

18           **THE CHAIRPERSON:** Thank you.

19           Questions from Commissioners?

20           **MEMBER GRAHAM:** I just want to comment on -

21           --

22           **THE CHAIRPERSON:** Okay.

23           **MEMBER GRAHAM:** My comment was that you use  
24 "Saint John's" quite a bit. It's not. It's just "Saint  
25 John". There's quite a difference for New Brunswickers.

1                   **MR. SHIER:** My apologies. I get -- my  
2 union colleagues there correct me of that all the time.

3                   **THE CHAIRPERSON:** Mr. Graham is a very  
4 sensitive man.

5   **(LAUGHTER)**

6                   **MEMBER GRAHAM:** I just was wondering what  
7 the taxi drivers in St. John's, Newfoundland, might say  
8 about Point Lepreau.

9                   **THE CHAIRPERSON:** Dr. Dosman.

10                   **MEMBER DOSMAN:** Thank you.

11                   Mr. Shier, we've heard about safety culture  
12 and the importance of safety culture coming, if you like,  
13 from the top. How proactive is the council in encouraging  
14 your local unions on safety culture?

15                   **MR. SHIER:** We have an annual convention  
16 each year and each of the sites and unions does a report,  
17 and it's an opportunity to discuss and kind of share  
18 information. Any of these safety programs, new ones that  
19 come up are discussed and explained at that.

20                   So our involvement there and also our  
21 involvement with the licensing hearings and discussions  
22 with the local unions, we are encouraging them and we help  
23 share information with them on safety issues. So, as  
24 indicated, our belief is that safety is number one in all  
25 industries where our members work but especially in the

1 nuclear industry.

2 **MEMBER DOSMAN:** I wonder if I might ask a  
3 question of Mr. Dickson in Saint John.

4 **MR. DIXON:** We may.

5 **MEMBER DOSMAN:** Mr. Dixon, I wonder if you  
6 could discuss with us your view as to the attitude of the  
7 workers on the site with regard to training and safety  
8 training, particularly where it's repetitive.

9 **MR. DIXON:** For the record my name is Don  
10 Dixon. I am an NB Power employee. I work at Point  
11 Lepreau, right now assigned to Point Lepreau Refurbishment  
12 Project.

13 Our attitude and our behaviours toward  
14 safety is that it's paramount. Continual training in the  
15 interest of safety is what it's all about. You have to be  
16 prepared and in order to be prepared you have to  
17 continually train and be ready for any contingency, and we  
18 exhibit that behaviour every day at work. One of our  
19 mottos of going to work is "Coming to work safely and  
20 going home safely" to our families and our community and  
21 our friends. So our behaviour is safety is paramount. In  
22 fact, that's one of our mottos, "Safety first".

23 **MEMBER DOSMAN:** I wonder if I might ask the  
24 company their views as to the cooperation that you receive  
25 on the safety training programs.

1                   **MR. McCARTHY:** Joe McCarthy for the record.

2                   I would support what you heard from Mr.  
3 Dixon and from Mr. Shier here. We, as a management at  
4 Point Lepreau, get great cooperation from people. Most  
5 people are keenly interested in their well-being and as  
6 Don was pointing out, everybody is certainly interested in  
7 going home safely to their family at the end of the day.  
8 And that, as he said, is paramount, not only in their  
9 mind; it's paramount in our mind as well.

10                   I mean we do not want to have a guilty  
11 complex or guilty feeling of having done something wrong,  
12 had a wrong practice in place or a wrong expectation in  
13 place that allowed somebody to get hurt. And our present  
14 CEO constantly reminds us it's important; safety is number  
15 one and we're to do nothing unless we address safety  
16 first.

17                   **MEMBER DOSMAN:** May I ask, do you have a  
18 no-fault environment for reporting or self-reporting on  
19 non-compliance or mistakes? How do you handle those  
20 issues in the company?

21                   **MR. McCARTHY:** We have what we call a -- I  
22 spoke of it earlier this morning -- we call it a problem  
23 identification and corrective action program. Anybody on  
24 the site, anybody, can identify any issue they want  
25 whether it's mechanical equipment, a safety infraction, an

1 observation. And we get probably in the order of 7,000 of  
2 these things a year that people put in and these are  
3 reviewed every day and some of them require corrective  
4 action immediately, others are less important.

5 Others, you know, it may be -- so what we  
6 do is we trend those particular things. We would look to  
7 see if there is a trend of an abnormal behaviour or  
8 something that we should do to correct before we do end up  
9 with an accident or an unsafe condition. So we encourage  
10 our staff to report everything they see. We do not --  
11 there is no disciplinary action or retaliation for anybody  
12 that wants to identify a problem. We're certainly -- we  
13 have a very open society.

14 **MEMBER DOSMAN:** Do you have a very big  
15 backlog of issues to address in this category?

16 **MR. McCARTHY:** Yes, we have in our  
17 corrective actions -- again, you've got to put these  
18 things in perspective. When we look at -- we categorize  
19 them 1, 2, 3 and 4. The 1's and 2's are the ones that are  
20 more significant. We have very little backlog there;  
21 probably in the order of 1, 2. Now, we're in a current --  
22 an annual outage at the current time and we tend not to  
23 address the corrective action until the outage is over.  
24 So we may build up probably in the order of 30 or 40 in  
25 the category 1 and 2's. In the category 3's and 4's which

1       tend to be trending, there could be significant numbers  
2       there, like 100, 200 and these things get addressed on a  
3       priority basis.

4                    You know, obviously, we can't deal with  
5       7,000 -- you know, come up with 7,000 corrective actions  
6       or we'd get nothing done, so we really have to focus in  
7       one the ones that are going to bring the biggest value to  
8       the organization. And that's precisely what we do.

9                    So we focus on the 1's and 2's and then we  
10      look for trends in the lower categories and focus on them.

11                   **MEMBER DOSMAN:** Just a final question; I  
12      wonder if I might ask CNSC staff on your view as to the  
13      culture in the training area, the attitude of the workers  
14      towards undertaking training, repetitive training and the  
15      relationships with the trainers.

16                   **MR. LAFRENIÈRE:** Ken Lafrenière for the  
17      record.

18                    It's something that CNSC staff review as  
19      part of safety culture surveys and so on and as part of  
20      our certified training program. And we are satisfied with  
21      behaviours of the Point Lepreau management and staff in  
22      terms of continuing training and training development  
23      programs.

24                   **MEMBER DOSMAN:** Is it your view that  
25      training will be maintained at an adequate level during

1 the shutdown?

2 **MR. LAFRENIÈRE:** Ken Lafrenière.

3 Yes. We included, I believe, some  
4 modifications to license conditions which were reached in  
5 agreement with our training specialist. And, yes, we are  
6 of the view that continuing training will continue through  
7 the refurbishment outage and they have made adequate  
8 provisions to provide refresher training or an ongoing  
9 training, and we will also review that as part of our  
10 normal compliance activity going forward.

11 **MEMBER DOSMAN:** Thank you.

12 **THE CHAIRPERSON:** Thank you.

13 Feeling generous, we'll have a break for 12  
14 minutes. So if you can be here at 3:20, and 4:20 in Saint  
15 John.

16 Thank you, Mr. Shier.

17 ---- Upon recessing at 3:09 p.m.

18 ---- Upon resuming at 3:23 p.m.

19 **THE CHAIRPERSON:** Thank you.

20 The next submission is an oral presentation  
21 by the North American Young Generation in Nuclear. This  
22 is outlined in CMD 06-H4.11 and Mr. Mark McIntyre is  
23 joining us from Saint John.

24 Mr. McIntyre the floor is yours.

25 **06-H4.11**

1       **Oral presentation by**  
2       **North American Young**  
3       **Generation in Nuclear**

4                   **MR. McINTYRE:** Thank you very much.

5                   My name is Mark McIntyre. I live in Saint  
6       John, New Brunswick. I have an interest in the license  
7       renewal because I am a former Canadian Affairs Director  
8       and current member of the North American Young Generation  
9       in Nuclear.

10                  The NAYGN represents young people,  
11       generally under 35, from across North America who are  
12       dedicated to clear, open, honest and scientifically  
13       accurate communication in the area of the nuclear  
14       sciences.

15                  Our Mission Statement is to unite young  
16       professionals who believe in nuclear science and  
17       technology and who are working together to share their  
18       passion for a field that is alive and kicking. My group  
19       supports New Brunswick Power Nuclear's request for a five-  
20       year license renewal.

21                  In touring the Point Lepreau facility,  
22       there is no doubt their goals are safe and reliable  
23       operation, refurbishment on time and on budget and for the  
24       station to achieve world-class performance. There are  
25       banners that pronounce the goals and any staff member can

1 recite them, and managers guide the organization according  
2 to them.

3 The facility is tidy and there's a  
4 satisfaction amongst the employees about keeping it that  
5 way. There is also a sense of pride felt about the recent  
6 successes, especially the positive refurbishment decision.

7 I sense an organization that is moving  
8 toward an even stronger nuclear safety culture. Staff is  
9 briefed at regular meetings about excellence in operations  
10 and special attention is paid to using tools to improve  
11 human performance.

12 In speaking with NB Power Nuclear  
13 employees, I see there's an attitude where everyone feels  
14 personally responsible for nuclear safety and where  
15 decision making reflects a "safety first" attitude.

16 The NAYGN represents those in the early  
17 part of their career. As such, we're in a position to  
18 comment on how NB Power Nuclear has managed the issue of  
19 staffing and their age demographics.

20 With hiring in the late 1990s and strategic  
21 hiring sense, NB Power Nuclear has avoided some of the  
22 loss of capability experienced by other nuclear related  
23 organizations in North America.

24 So just as some jurisdictions are waking up  
25 to the benefits of building new nuclear, an aging

1 workforce and a retiring workforce has the potential to  
2 hold industry back. We will need record levels of skilled  
3 workers and there will be competition for those workers.  
4 Indeed, it is a good time to be under 35 years old and  
5 working in the nuclear industry.

6 In response to the aging demographics  
7 issue, I'm told by NB Power Nuclear that further  
8 improvements in the area of capturing high value,  
9 undocumented knowledge of retirees is in the planning  
10 stages. It is NAYGN's opinion that capturing the  
11 knowledge of retirees is in the interest not only of the  
12 younger generation, but it also makes business sense.  
13 This is because of the tremendous effort and training  
14 dollars that go into developing a true nuclear  
15 professional.

16 NAYGN supports the use of nuclear energy  
17 because of the benefits for the environment and the way in  
18 which nuclear facilities manage their waste streams.

19 Point Lepreau's commitment to the  
20 environment is evidenced by their ongoing environmental  
21 monitoring program and their re-registration as an ISO  
22 14001 compliant facility.

23 I do not have to look very far to other  
24 industrial facilities who cannot manage their waste  
25 streams. They tend to use Southern New Brunswick air to

1 dilute their pollution.

2 By contrast, all the used nuclear fuel  
3 Point Lepreau will ever use can be safely stored on a  
4 relatively small pocket of the Point Lepreau property, all  
5 the while protecting our number one resource, clean air.

6 NAYGN believes in the idea of large-scale  
7 centralized power generation. It allows for better  
8 control of waste streams and takes advantage of economies  
9 of scale.

10 Pollution control and waste management  
11 strategies are best implemented on a regulated, consistent  
12 and clear basis.

13 Our natural resources need to be used as  
14 carefully as possible so that their availability is  
15 sustained for future generations. Clearly, Point Lepreau  
16 helps to protect the Southern New Brunswick environment  
17 while providing life-sustaining and economic electricity.

18 I ask the Canadian Nuclear Safety  
19 Commission and, indeed, the Canadian public to approve the  
20 five-year licence renewal for the Point Lepreau Generating  
21 Station. Southern New Brunswickers deserve the commitment  
22 to the environment and the commitment to safety that Point  
23 Lepreau provides.

24 Thank you for the opportunity to intervene.

25 **THE CHAIRPERSON:** Thank you, Mr. McIntyre.

1                   Any questions or comments from  
2 Commissioners?

3                   Thank you very much.

4                   We move to the next submission which is an  
5 oral presentation by Janice L. MacLean, as outlined in CMD  
6 06-H4.12. Ms. MacLean is joining us from Saint John. The  
7 camera is now on you.

8                   I would just like to say that the  
9 Commissioners have a copy of the text that you will be  
10 reading to us. So the floor is yours.

11

12                   **06-H4.12**

13                   **Oral presentation by**

14                   **Janice L. MacLean**

15                   **MS. MacLEAN:** Thank you, Mr. Barnes.

16                   Good afternoon. For the record, my name is  
17 Janice MacLean. Thank you for the opportunity in allowing  
18 me to speak to you today.

19                   I live about 60 kilometres from Point  
20 Lepreau in the community of Grand Bay Westfield. I am  
21 proud to tell you I work at the Point Lepreau Nuclear  
22 Station. In my years working at the station, I worked in  
23 many different departments; in records management -- I  
24 worked in research, filing, updating databases, producing  
25 quality documents and ensuring version control.

1                   I believe Point Lepreau has made great  
2                   strides in this field. The department assistance applied  
3                   in the plant with well written, thorough procedures which  
4                   outline what we do, how we do it, and we often have check  
5                   sheets in the documents to provide traceability. We look  
6                   after our documents with a record management system,  
7                   filing, to maintain the integrity of the documentation and  
8                   history. The team takes pride in providing quality work  
9                   in a timely and efficient manner.

10                   I worked in health physics for the outage  
11                   last year. I received support from my direct supervisor  
12                   who listened to me, and I could see she really cared about  
13                   what she does and how she does it. When things got busy,  
14                   which often does during an outage, she'd roll up her  
15                   sleeves and pitch in to get the job done.

16                   When records were completed, they were  
17                   always peer checked to ensure a quality product. Staff in  
18                   the health physics department are vigilant and proactive.  
19                   Like all the groups at Point Lepreau, they take their jobs  
20                   very seriously.

21                   I remember hearing them remind staff to  
22                   wear their badges in the correct position to be read  
23                   correctly, and they were quick to help enforce  
24                   expectations to the staff.

25                   Another department I worked in, emergency

1       planning, I supported the emergency preparedness  
2       exercises, as well as the program for implementing the  
3       community notification service devices. I worked with  
4       people from around the community during that project, and  
5       through our interaction, I was able to get feedback from  
6       citizens in the area. I found that they were open and  
7       frank with their feedback on having the plant in their  
8       neighbourhood. I heard positive stories about how well we  
9       communicated with them, how they appreciated our support  
10      at the local school and how they felt comfortable in  
11      having the plant in their area.

12                    I will also add that Point Lepreau donated  
13      some CNS devices, community notification service devices,  
14      to the Saint John area to assist the deaf community.

15                    Another department, reliability, does what  
16      the name says. This group is committed to keeping the  
17      plant running safely and reliably. One of the many things  
18      they do is they analyze the operating manual tests and  
19      making sure that tests are completed correctly as  
20      required.

21                    The electrical technical group, where I'm  
22      presently assigned, is comprised of a team of talented,  
23      hardworking individuals who strive to support the safe,  
24      efficient day-to-day operation of the station. Every  
25      morning when we get to work, the first thing we do, we

1 start out; we go over the Point Lepreau Human Performance  
2 Handout. Our supervisor reads it to us. We discuss the  
3 goal of the day and we go over that problem identification  
4 and corrective action, that PICA program you've been  
5 hearing so much about. We prioritize our work and we look  
6 after our customers. My supervisor has an open-door  
7 policy and he's approachable when I have questions or need  
8 guidance.

9 Teamwork is definitely something we all  
10 believe in, and I find the work very interesting and  
11 challenging.

12 I guess you can see I have a passion for my  
13 job. I believe in nuclear power. One of the effects I  
14 like best about nuclear power is clean air, no air  
15 pollution.

16 I have an aunt who lives in Grand Bay who  
17 suffers from lung disease. It is dangerous for her to be  
18 around wood smoke, smog and any kind of pollution.

19 I am thankful that 30 percent of the  
20 province's power Point Lepreau generates does not result  
21 in air pollution.

22 As a citizen and taxpayer of New Brunswick,  
23 Canada; as an employee of NB Power Nuclear I ask you to  
24 consider approving the five-year operating license of the  
25 Point Lepreau Nuclear Station.

1 Thank you for providing me with this  
2 opportunity to speak to you today.

3 **THE CHAIRPERSON:** Thank you, Ms. MacLean.  
4 Any comments or questions?  
5 No? Thank you very much.

6 We'll move to the next submission which is  
7 an oral presentation from Mr. Syed Zaidi, as outlined in  
8 CMD 06-H4.13. He is presently making his submission from  
9 Saint John.

10 Mr. Zaidi, the floor is yours.

11

12 **06-H4.13**

13 **Oral presentation by**

14 **Syed M.H. Zaidi**

15 **MR. ZAIDI:** Can I have that on screen,  
16 please?

17 **THE CHAIRPERSON:** It's on the screen here.

18 **MR. ZAIDI:** Good afternoon, Mr. Chair, and  
19 members of the Commission.

20 For the record, my name is Syed Zaidi and I  
21 am an NB Power retiree. I joined Point Lepreau during  
22 commissioning in 1981 -- can I have the next page, please?  
23 Yes, thank you.

24 I joined Point Lepreau during commissioning  
25 in 1981 and retired at the end of 2003. I have served

1 CANDU Nuclear Industry since 1966. I am an intervenor for  
2 the Point Lepreau operating license renewal applied by NB  
3 Power Nuclear to Canadian Nuclear Safety Commission.

4 Next slide, please.

5 Licensing Request: NB Power Nuclear has  
6 requested for Lepreau operating license renewal for a five  
7 year period outlined in CNSC, CMD 02-M12. The period will  
8 cover operation of the facility. Number one, up to the  
9 period -- for refurbishment, maintenance outage; number  
10 two, 18 months refurbishment outage, including the  
11 commissioning and return to power; number three, post-  
12 refurbishment operating period to the end of June 2011.

13 Next slide, please.

14 Point Lepreau Nuclear Generating Station's  
15 refurbishment: The Premier of New Brunswick announced on  
16 July 29, 2005, to proceed with the refurbishment of Point  
17 Lepreau with AECL as the general contractor. Refurbishment  
18 outage is for 18-month maintenance outage from April 2008  
19 to September 2009, during which retubing will be done  
20 which consists of the replacement of all 380 channels,  
21 Calandria tubes and the freezer pipes. Additional  
22 repairs, replacements, inspections and upgrades will be  
23 done to the station. Some are planned. Some will be  
24 coming during the inspection of equipment during the  
25 shutdown. As a result, Point Lepreau will have a life

1 extension for an additional 25 to 30 years.

2 Refurbishment Outage Summary: During the  
3 refurbishment outage, work will be done, conducted in  
4 accordance with license and consistent with nuclear  
5 management manual and related processes. Protection of  
6 health, safety and environment is integral to the project  
7 and builds on strength of NB Power nuclear programs.

8 Qualities Integral to The Project:

9 Training will continue and be maintained for operations,  
10 maintenance and technical staffs as required. Certified  
11 staff training will cover the design modification that  
12 start-up with the fresh core to make sure they work right.  
13 Documentation will be revised and prepared as required and  
14 the process is already in place and they have assigned a  
15 commissioning manager with a refurbishment group and  
16 attached staff to him to help prepare the documentation.

17 Next slide, please.

18 Now I come to the Management Workers' Union  
19 Relationship. This is very important to have peace in the  
20 -- especially in the outage and during my almost 23 years  
21 tenure with Lepreau, I did not see any problem with the  
22 labour management workers problem.

23 Point Lepreau enjoys a positive working  
24 relationship with the workers' Union, that's IBW Local 37.  
25 In October 2004, the existing Union contract from January

1 1<sup>st</sup>, 2001 to December 31<sup>st</sup>, -- I'm still on the back slide,  
2 number 6.

3 In October 2004, the existing Union  
4 contract from January 1<sup>st</sup>, 2001 to December 31<sup>st</sup>, 2007, was  
5 extended to December 31<sup>st</sup>, 2010. This extension will  
6 provide stability in management workers' Union  
7 relationship as Point Lepreau prepares for and executes a  
8 station refurbishment.

9 Next slide, please.

10 CNSC staff annually conducts a points  
11 ratings for various areas. I have a list of safety areas  
12 that consist of operating performance, performance  
13 assurance, design and analysis, equipment fitness for  
14 service, emergency preparedness, environmental  
15 performance, radiation protection, nuclear safety, which  
16 is not shown here because it's protected safeguards. In  
17 this the rating is done for programs and implementation.  
18 In this case programs are much better because we have an  
19 "A" also there that shows we exceed the requirements and  
20 the rest are all "B's" that meets the requirements.

21 In the station implementation we have all  
22 "B's" that show that we meet all the requirements. There  
23 is no "C's"; that is below the requirements.

24 Next slide, please.

25 Request for License Renewal: Point Lepreau

1 quality management system is in place that governs all  
2 work activities and also have adequate provisions for the  
3 protection of the environment and the health and safety of  
4 persons, the maintenance of national security which is  
5 required to implement a national obligation to which  
6 Canada has agreed.

7 Point Lepreau has consistent and good  
8 history of operating experience in compliance. Point  
9 Lepreau meets or exceeds regulation requirements in all  
10 safety areas. Point Lepreau meets all the criteria for a  
11 five-year license renewal and I should mention here that  
12 at Point Lepreau safety comes first, then comes quality  
13 and then comes production. So safety, quality and  
14 production.

15 I respectfully request the Canadian Nuclear  
16 Safety Commission to approve the renewal of Point Lepreau  
17 Nuclear Power Reactor operating license for a period of  
18 five years.

19 Next slide, please.

20 Thank you. Any questions?

21 **THE CHAIRPERSON:** Thank you.

22 Any questions from Commissioners?

23 No questions. Thank you very much.

24 We now move to our next submission, via  
25 teleconference from Toronto, which is an oral presentation

1 by Greenpeace Canada as outlined in CMD 06-H4.14, 06-  
2 H4.14A, and 06-H4.14B.

3 Mr. Shawn-Patrick Stensil and his  
4 campaigner is joining us by teleconference. Mr. Stensil,  
5 can you hear us?

6 **MR. STENSIL:** Yes, I can.

7 **THE CHAIRPERSON:** The floor is yours.

8  
9 **06-H14 / 06-H14A / 06-H14B**

10 **Oral presentation by**

11 **Greenpeace Canada**

12 **MR. STENSIL:** Thank you very much. And  
13 thank you to the Commission for this opportunity to  
14 comment on the license renewal of the Point Lepreau  
15 Nuclear Station.

16 I apologize for not being able to attend in  
17 person. Events in Toronto have kept me here. I assume by  
18 the time of the day that people's endurance is waning, so  
19 I'll try to be concise.

20 First, I'd like to state that this is more  
21 than a typical operational license renewal. The license  
22 proposed by the CNSC staff also includes the  
23 refurbishment, that is the decommissioning, retubing and  
24 recommissioning of the Point Lepreau Nuclear Station.

25 Because these activities are so different,

1 complex and important to the future and safe operation of  
2 the station, it is the position of Greenpeace Canada that  
3 these activities not fall under this operational license.

4 My presentation today will discuss the  
5 CNSC's ongoing mishandling of the Lepreau refurbishment  
6 and life extension. As we'll explain, this mishandling of  
7 the Point Lepreau life extension points to another reason  
8 why the Commission should not allow CNSC staff to oversee  
9 the reconstruction of Lepreau in the confines of an  
10 operational license.

11 Madam President and Commissioners, a main  
12 message of my presentation to you today, then, is that  
13 there should be more scrutiny by the Commission of the  
14 staff's activities and preparedness for overseeing the  
15 reconstruction of Lepreau, not less.

16 Next slide, please.

17 On screen you should see a quote from  
18 President Linda Keen discussing the importance of  
19 maintaining an arms-length relationship between the  
20 government and the nuclear industry. You'll also see  
21 recommendations from a 2001 Senate Committee Report that,  
22 among other things, recommended that the CNSC maintain  
23 public confidence by maintaining an arms-length distance  
24 from the industry, that it develop the scope of  
25 environmental assessments independent of industry and that

1 all major nuclear construction projects be subject to a  
2 comprehensive review under CEAA.

3 As I will explain, the staff's handling of  
4 the Lepreau refurbishment shows that the CNSC has failed  
5 to maintain at arms-length the industry and develop the  
6 scope of environmental assessments independently.

7 Greenpeace Canada is deeply concerned by the mishandling  
8 of the Lepreau life extension. It has undermined your  
9 goal, Madam President, of the CNSC being considered an  
10 independent arms-length regulator by the public. I urge  
11 the Commission to learn from this experience and make the  
12 proper reforms.

13 Next slide.

14 It all starts here. On the screen you  
15 should see a letter from CNSC staff to New Brunswick  
16 Power. In 2000 New Brunswick Power informed the CNSC that  
17 it wished to extend the life of Point Lepreau. CNSC staff  
18 responded stating that they had no regulations or policies  
19 regarding life extension. They then gave New Brunswick  
20 Power a choice. One, the CNSC could develop regulations,  
21 but staff advised against developing regulations or  
22 policies because the public consultation period to do this  
23 would not fit with New Brunswick Power's decision-making  
24 schedule.

25 Note at this point of time the

1 refurbishment was supposed to take place in 2006. Or,  
2 two, New Brunswick Power could voluntarily anticipate the  
3 CNSC's expectations and adhere to them. Of course, New  
4 Brunswick Power chose the second option and the public was  
5 denied the opportunity to discuss how the CNSC would  
6 regulate the possible refurbishment of not just Lepreau  
7 but Canada's 20 other or so reactors.

8           And this is where I would like to highlight  
9 one of the main points of my presentation, Madam President  
10 and Commissioners. More and more the CNSC is delegating  
11 important decisions to staff and excluding public  
12 scrutiny, as seen by the proposed licence that we're  
13 discussing today.

14           What the Lepreau example shows is that the  
15 CNSC is missing a means or perhaps it's simply a  
16 commitment whereby staff identify gaps in regulation or  
17 policy regarding nuclear matters and refer these issues  
18 back up to the Commission or the federal government.

19           Greenpeace believes that CNSC staff should  
20 have, in 2000, referred the issue of life extension back  
21 up to the Commission or, indeed, the federal government.

22           The staff member who wrote the above letter  
23 seems to have been accountable to no one and we're still  
24 living with the impacts of this decision six years later.

25           Next slide, please.

1                   The CNSC staff decision not to refer this  
2                   issue up to the Commission and improvised policy has had a  
3                   negative impact on the CNSC's effectiveness as a  
4                   regulator. Both New Brunswick Power and Hydro Quebec  
5                   looked to the CNSC to lower "their regulatory risk" to  
6                   help the economic viability of the refurbishment projects.  
7                   And New Brunswickers well know that the economics at the  
8                   Lepreau refurbishments are controversial. Note, indeed,  
9                   that Hydro Quebec explicitly told CNSC staff that the  
10                  economic basis for the refurbishment of Gentilly-2 was  
11                  weak and that the regulatory agreement of some sort was  
12                  crucial for the viability of the project.

13                  Greenpeace Canada is deeply concerned that  
14                  the economics of the nuclear industry are driving the  
15                  CNSC's regulatory policies. The CNSC should not be in the  
16                  business of setting policy based on economic needs of its  
17                  licensees. It should be regulating in the public  
18                  interest.

19                  As you must know by now, CNSC staff  
20                  realized sometime in 2004 that there could be a legal case  
21                  for challenging their application of CEAA to the life  
22                  extension of Point Lepreau and Gentilly-2. Staff informed  
23                  New Brunswick Power and Hydro Quebec last year that they  
24                  may need to reopen their environmental assessments. This  
25                  was done fairly late in the game. In the end, CNSC staff

1 gave New Brunswick Power a last minute exclusion under  
2 CEAA for Lepreau but instructed Hydro Quebec to revisit  
3 its EA. The public, however, was denied a broader and  
4 more public environmental assessment process because of  
5 the staff's fumbling.

6 Next slide.

7 And this is not simply a historic matter.  
8 From what Greenpeace can see CNSC staff continue to  
9 closely cooperate with nuclear licensees. Last year in  
10 hearings regarding the Bruce refurbishment I told the  
11 Commission that they need to consult the public on how you  
12 oversee life extension. At the time, CNSC staff and  
13 Commissioners insisted that the *Nuclear Safety Control Act*  
14 was adequate. Greenpeace was disappointed to learn  
15 through access to information requests that the CNSC in  
16 late 2005 had been consulting with the Canadian Nuclear  
17 Association on a regulatory guide for life extension.  
18 This guide was conveniently published last night and will  
19 have no -- give no assistance to people intervening in  
20 these hearings today.

21 As I understand it, the Commission meets  
22 regularly with the Canada Nuclear Association to hear its  
23 concerns about the CNSC's activities. I would like to  
24 point out to the Commission that the Commission or the  
25 CNSC has no process for consulting non-industry

1 stakeholders on CNSC activities. This is yet another  
2 example how the CNSC has failed to maintain its  
3 independence from the industry that it regulates.

4 Next slide, please.

5 Here I'd like to shift the discussion  
6 towards the current licence proposal. The CNSC has begun  
7 to acknowledge that the workload for managing the  
8 refurbishment of multiple reactors is high. Speaking in  
9 reference to the CNSC's ability to manage the licensing of  
10 new reactors, the CNSC's annual report last year noted  
11 that staff are fully occupied with the licensing and  
12 compliance work associated with existing facilities.

13 President Keen, you acknowledged in a  
14 statement to the Canadian Nuclear Association earlier this  
15 year that there was a staffing crunch coming at the CNSC.

16 From what I've seen from the Lepreau  
17 example, CNSC staff are not managing the oversight of  
18 existing licensing obligations well. Greenpeace has  
19 doubts that there is adequate staffing to oversee the  
20 complex work entailed in retubing Point Lepreau. We  
21 recommend, therefore, that the Commission keep a closer  
22 eye on these activities than proposed in the current  
23 licence proposal.

24 Next slide.

25 Specifically here are three problems that

1 we see with the licence proposal. Greenpeace challenges  
2 the CNSC staff's view that refurbishment activities are  
3 carried out under an existing operating licence.

4 Refurbishment is not an operational activity. Let's call  
5 a spade a spade. One takes the reactor apart. One  
6 unloads the fuel. One unloads the heavy water. One  
7 reassembles the reactor. That is not an operational  
8 licence. We should be looking at a different licence  
9 category.

10 Secondly, as I've been discussing, the  
11 history of the Lepreau life extension shows that CNSC  
12 staff require more scrutiny, not less. The Commission  
13 should not delegate the authority to shut down, retube and  
14 restart the Point Lepreau Nuclear Station to a designated  
15 officer. Both the shutdown and the restart, I would  
16 argue, of the reactor should be subject to public  
17 hearings.

18 Next slide, please.

19 On this slide you'll see a number of issues  
20 that I pulled from the staff's own submission to the  
21 Commission; issues that are outstanding and yet to be  
22 resolved -- surprisingly, given that staff had been  
23 working on this since 2000 -- that the CNSC or the  
24 Commission and the public should scrutinize at hearings  
25 before the refurbishment. Quickly, some of these are

1       whether there is sufficient CNSC staff capacity to oversee  
2       the retubing; CNSC expectations on staff training and  
3       qualifications during the refurbishment. These  
4       qualifications are different than, I assume, during an  
5       operation of the nuclear station; any design changes made  
6       to the Point Lepreau Nuclear Station should be reviewed by  
7       the Commission and the public before retubing and re-  
8       commissioning takes place; the CNSC staff are still  
9       reviewing whether components of the emergency core cooling  
10      system are seismically qualified; and the CNSC staff has  
11      not completed a project plan based on the licensing  
12      framework to ensure that required regulatory activities  
13      associated with the reconstruction of Point Lepreau are  
14      performed.

15                    These are just a number -- a few of the  
16      reasons why we need to have a shorter licensing period.

17                    Next slide, please.

18                    Finally I would like to highlight another  
19      broad policy issue that is not dealt with in current  
20      federal legislation or policy, similar to life extension;  
21      that is, the long-term management of non-fuel radioactive  
22      wastes that are created from retubing and decommissioning.

23                    CNSC staff has maintained a blind eye to  
24      the long-term management of these wastes. I participated  
25      in the environmental assessment hearings in Quebec

1 regarding the Gentilly-2 reactor. There the BAPE  
2 acknowledged or showed -- recognized the fact that Hydro  
3 Quebec had no long-term strategy for managing the long-  
4 lived nuclear radioactive wastes. Those are not fuel  
5 wastes. These are wastes that would be created through  
6 the refurbishment and decommissioning that, as far as I  
7 can tell, the federal government has no policy over. The  
8 CNSC has continued to endorse or accept decommissioning  
9 plans, such as Point Lepreau's, that assume that these  
10 wastes will be shipped to a centralized site at the same  
11 site as used nuclear fuel site.

12 There is no rationale for this that I have  
13 ever found. The NWMO, when I have questioned them, did  
14 not deal with these sorts of wastes and I believe that the  
15 Commission needs to have a discussion about how these  
16 wastes will be managed, probably with the federal  
17 government and the public. In the interim, the Commission  
18 should instruct New Brunswick Power to revisit its  
19 decommissioning plan and its financial guarantee and  
20 propose a realistic and socially acceptable means of  
21 managing these wastes over the long-term. This will  
22 probably be in New Brunswick. Please note that Ontario is  
23 developing its own geological repository for these wastes.

24 Next slide, please.

25 In conclusion, some observations. The CNSC

1 has failed to proactively acknowledge and address gas or  
2 emissions in Canada's current legislation, regulations and  
3 policies governing nuclear power. This has been  
4 illustrated by the blind eye. CNSC staff have shown it's  
5 about the life extension of reactors and the long-term  
6 management of non-fuel radioactive wastes. This has  
7 undermined the CNSC's credibility, forestalled proper  
8 public consultation on nuclear regulatory issues, stopped  
9 broader environmental assessments on life extension  
10 projects and allowed nuclear licensees to continue to  
11 operate without fully informing the public on the  
12 management of their long-lived non-fuel wastes. I urge  
13 the Commission to learn from the mismanagement of the  
14 Point Lepreau life extension and make reforms to ensure  
15 its independence from the nuclear industry.

16 We would also like to request, again, that  
17 the Commission give a shorter licence, not a five-year  
18 licence, where we could review the retubing activities  
19 prior to the refurbishment outage and also instruct New  
20 Brunswick Power to revise its decommissioning plan,  
21 propose a socially acceptable plan for managing its long-  
22 lived nuclear wastes in New Brunswick.

23 Finally, given past experience in terms of  
24 the receptiveness of the CNSC to criticism, I don't  
25 necessarily have the confidence that these points will be

1 taken into account. I filed a petition today with the  
2 Auditor General asking for some clarification on the  
3 issues that I spoke about today and I would be happy to  
4 provide that petition to the Commissioners if they request  
5 it.

6 Thank you very much. Merci.

7 **THE CHAIRPERSON:** Thank you, Mr. Stensil.

8 I assume you will send a copy of that  
9 petition to CNSC staff, to the secretary, ---

10 **MR. STENSIL:** Yes.

11 **THE CHAIRPERSON:** --- Mr. Marc Leblanc, for  
12 our information. Thank you.

13 Comments or questions from Commissioners?  
14 Dr. Dosman.

15 **MEMBER DOSMAN:** Mr. Chair, I wonder if I  
16 might ask Mr. Grant, CNSC staff, if you agree that CNSC  
17 staff does not have an arms length relationship from  
18 industry.

19 **MR. GRANT:** Thank you. For the record, Ian  
20 Grant.

21 In my opinion, CNSC staff does have an arms  
22 length relationship from the industry. We do work in the  
23 public interest. Clearly, in order to exercise a  
24 regulatory function we do consult with industry, with  
25 licensees, for exchange of information to understand their

1 projects and to inform industry of our regulatory  
2 requirements and to reach a mutual understanding. That is  
3 part of the normal course of our regulatory business and I  
4 think that is common in any regulatory domain, to my  
5 knowledge. But I think it would be -- it's fair to say,  
6 it's correct to say that the CNSC operates independently,  
7 free from influence of those who would promote nuclear  
8 energy.

9 Perhaps the industry themselves might like  
10 to comment on that.

11 **MR. McCARTHY:** For the record, Joe  
12 McCarthy.

13 I would concur with what Mr. Grant has  
14 said. I deal with the regulator on a regular basis and  
15 it's clear to me that there's a series of regulations and  
16 standards that I as the operator of a facility must meet  
17 and comply with. There is no question about it. I don't  
18 get any breaks. I mean, if there are regulations to be  
19 met and I'm not meeting them, I am informed of that. I am  
20 given an action item or a directive to fix, which I do in  
21 the time that it's appropriate or that I'm asked to do so.

22 So I can see no evidence to support that  
23 the CNSC is not an arms length relationship. Clearly in  
24 my mind they are. There's no evidence, at least I've  
25 seen, that would suggest that they are promoters or

1       advocators of nuclear power. They see themselves as  
2       totally independent from me as an operator of a facility,  
3       and they're concerned, in any conversation I have, with  
4       the public health and public safety and the mandate of the  
5       Commission. I see no evidence to coerce with us and I  
6       could see there would be no advantage for them to do so.

7                   **MEMBER DOSMAN:** I wonder if I might, Mr.  
8       Chair, ask Mr. Grant does CNSC have the staff or is CNSC  
9       confident of having the staff to adequately provide the  
10      regulatory oversight for the refurbishment of Point  
11      Lepreau?

12                   **MR. GRANT:** Thank you for the question, Dr.  
13      Dosman.

14                   I've spoken earlier in the proceedings on  
15      this point and I'll repeat -- refer back to some of my  
16      earlier remarks. I have been informed by my senior  
17      management that the federal budget, the recent federal  
18      budget contained provisions for additional resources for  
19      the CNSC further to requests made by the CNSC related to  
20      additional work that needs to be carried out on  
21      refurbishment projects specifically.

22                   We have been for some years -- my staff  
23      have for the last several years -- been planning actively  
24      to identify the resource levels required to support the  
25      refurbishment projects that the industry is planning. Mr.

1 Lafrenière does have the regulatory activity project plan.  
2 I believe that's been shared with the licensee, actually,  
3 and we certainly informed the licensee of the cost we  
4 expect to recover for them to support that plan.

5 At the present time we are not at full  
6 complement. There are vacant positions in the  
7 organization. There is an active staffing campaign  
8 underway. It is a tightly remark, as I referred to, so  
9 there are some challenges, but we are having some success  
10 in hiring staff.

11 If Mr. Lafrenière is up to complement, we  
12 are also engaging -- this hiring campaign addresses not  
13 only the project managers and program managers under Mr.  
14 Lafrenière's control and my directorate, but also  
15 specialist resources in the various directorates under my  
16 colleagues' direction.

17 So it's not to say there aren't challenges,  
18 but we have been allocated resources by government and we  
19 are actively working on staffing and I believe that I am  
20 confident that we will be able to meet these challenges.

21 I might conclude also by saying that the  
22 president has -- Madam Keen as President -- has publicly  
23 at various points noted that the priority of the staff  
24 will be directed towards ensuring public safety and that  
25 the greatest risk is in regulating the current fleet of

1 operating reactors, and we will ensure the safety of  
2 operating reactors before we turn our attention to  
3 refurbishment projects. And if the refurbishment project  
4 schedules suffer then that is the consequence but that is  
5 where our priority is and our values lie.

6 Thank you.

7 **MEMBER DOSMAN:** Thank you.

8 **THE CHAIRPERSON:** Dr. McDill.

9 **MEMBER McDILL:** I wonder if I could ask the  
10 intervenor for how long he has been listening to today's  
11 proceeding?

12 **MR. STENSIL:** Approximately 10 minutes,  
13 unfortunately.

14 **MEMBER McDILL:** Thank you.

15 That being the case, you haven't heard the  
16 comments from the intervenors in Saint John, I gather?

17 **MR. STENSIL:** No, but unfortunately there's  
18 not a web cast at this point.

19 **MEMBER McDILL:** I'm going to repeat a  
20 question I asked this morning, I think, that might be  
21 helpful, and I would like to ask staff once again to  
22 answer the four questions.

23 In terms of a timeframe such as outage  
24 time, in terms of the scope of the work, in terms of the  
25 low, medium and high-level waste, and in terms of the

1 number of staff specialists, how does this work compare to  
2 similar work which has already been done in the industry  
3 over the last few years?

4 **MR. GRANT:** Dr. McDill, the four questions  
5 are the scope of the -- forgive me, would you repeat the  
6 four questions.

7 **MEMBER McDILL:** I'm sorry, yes.

8 **THE CHAIRPERSON:** Perhaps we could just  
9 entertain one of the ---

10 **MR. GRANT:** Yes, go on.

11 **MEMBER McDILL:** Okay. In terms of the  
12 timeframe of the outage, how does it compare to similar  
13 projects that have been done recently?

14 **MR. GRANT:** Past experience in Canada has  
15 consisted of the return to service of the Pickering A  
16 Units 1 to 4 and Bruce A Units 3 and 4 in the recent past.  
17 And it's my understanding that the plans that New  
18 Brunswick Power has put forward for the duration of the  
19 outage and the scope of work to be carried out is in broad  
20 terms, as a round number, similar to that past experience.

21 **MEMBER McDILL:** So you answer the two. The  
22 next one, then, would be in terms of the low, medium and  
23 high level waste that will result, how is it being handled  
24 in comparison with other similar projects?

25 **MR. LAFRENIÈRE:** Ken Lafrenière, for the

1 record.

2 As I previously mentioned, the waste are  
3 handled onsite by motor equipment compacted. It's in line  
4 with what the storage facilities that have been  
5 constructed at other nuclear sites, and in terms of the  
6 overall quantity I mentioned that it is difficult to judge  
7 because of the improvements in the tooling and the  
8 compacting and so on. But my engineering judgement would  
9 be it would be on a similar scale given the similar scope  
10 of work that has been done.

11 Just also in addition to that, there was an  
12 environmental assessment done on the expansion of the  
13 waste facility licence which covered, actually, the  
14 generation of all that waste and there's more details  
15 available to that process.

16 **MEMBER McDILL:** Thank you.

17 One of the intervenors' comments was the  
18 management of non-fuel radioactive waste over the long  
19 term. Could you briefly address that?

20 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
21 record.

22 Yes, the waste is managed, as it always has  
23 been. Traditionally in the industry, it is stored in  
24 canisters for a term until it is at such levels that it is  
25 safely disposed of.

1           The experience at the re-tube of Pickering,  
2           for instance, is that that waste is stored onsite and  
3           safely in licensed canisters by the Commission. And this  
4           is no different.

5                       **MEMBER McDILL:** Would the intervenor care  
6           to comment on the information just made available?

7                       **MR. STENSIL:** I would like to comment on  
8           that.

9                       What I was speaking about here was not the  
10          licence for the temporary waste storage site, but this is  
11          where these wastes will be stored over the long term. It  
12          is noteworthy that Ontario Power Generation is building a  
13          deep geological repository for what is called low -- or  
14          they are calling low and intermediate level wastes. That  
15          includes refurbishment wastes. So they're building a  
16          repository at the Bruce site for the long-term management.  
17          I have a copy of New Brunswick Power's current  
18          decommissioning plan and the wording in it, similar to  
19          what was pointed out with Hydro Quebec, is that New  
20          Brunswick Power is assuming that these radioactive wastes  
21          which are long-live, they contain plutonium, will be  
22          shipped off-site to a central site the same as the nuclear  
23          fuel sites that the Federal Government is to make a  
24          decision on.

25                       This has grounding in no policy or

1 regulation that I have ever seen, and as the BAP has  
2 pointed out and instructed Hydro Quebec, New Brunswick --  
3 Hydro Quebec has developed a long-term or a proposal for a  
4 long-term management strategy that is socially acceptable.  
5 I do not see that in New Brunswick Power's current  
6 decommissioning plan or its financial guarantees.

7 **MEMBER McDILL:** Thank you.

8 Would New Brunswick Power care to ---

9 **MR. MCCARTHY:** For the record, my name is  
10 Joe McCarthy and I'll give some general overviews and then  
11 I'll ask Laurie Comeau to comment on the specifics.

12 I also have Ann Morton standing by in Saint  
13 John if there's any specifics around the funding and the  
14 costing; she can answer those questions.

15 But our current position is that any low-  
16 level waste that is produced will be stored on site in  
17 designed canisters, as Mr. Lafrenière alluded to. These  
18 are structures that have been approved by the Commission.  
19 They have a life of about 50 years. Our intent was always  
20 to retain the low-level waste within these structures  
21 until such time as a central facility -- even though I'm  
22 not aware of one on the books at this time -- until such  
23 time that one is sited and built.

24 The other thing about it, as time goes on,  
25 the activity decays away with the half-life of the

1       nuclides that are involved and, in fact, at Lepreau today  
2       a lot of the waste that we produced back in the early '80s  
3       is being reclaimed. So we're reclaiming the space because  
4       the source of the activity has decayed away to the levels  
5       that it's no longer a hazard and below regulatory limits.

6               The other thing about these things, these  
7       canisters or structures are designed for a 50-year life,  
8       and given that the central facility wasn't available at  
9       that point in time, the remaining activity we could build  
10      a new structure and transfer the waste from the existing  
11      structure into the new structure. So that would be our  
12      plan until a central facility has been decided upon.

13              So if there's any more specifics, I'd ask  
14      Laurie maybe to jump in and provide them.

15              **MR. COMEAU:** For the record, I'm Laurie  
16      Comeau.

17              I just want to, perhaps, a couple of  
18      comments beyond what was previously mentioned. The  
19      decommissioning plan was based on the assumption that  
20      there would be an industry solution for this low and  
21      intermediate level waste on a long-term. That has not  
22      developed to date.

23              And, of course, with Ontario Power  
24      Generation going with their provincial solution, it means  
25      that the players like ourselves and Hydro Quebec will have

1 to rethink what our long-term strategy is. It's true, we  
2 do not have the definitive answer today. We are actually  
3 discussing options.

4 As the industry continues looking at this  
5 problem -- I mean, we're very assured that the current  
6 method for storing waste is very safe and it can be stored  
7 in that fashion for a significant period of time and we  
8 will be working with the industry in the future to  
9 actually look at a permanent solution to this. But there  
10 is no permanent solution identified today.

11 **MEMBER McDILL:** Thank you.

12 **MR. STENSIL:** May I make another comment?

13 **THE CHAIRPERSON:** I'll just ask if Dr.  
14 McDill is finished, or ---

15 **MEMBER McDILL:** I was going to ask both  
16 staff and New Brunswick Power to comment on the  
17 decommission plan and financial guarantee. Perhaps staff  
18 first.

19 **MR. LAFRENIÈRE:** Ken Lafrenière.

20 We reviewed the decommissioning plans and  
21 the funds associated with that and are satisfied that both  
22 are in good standing.

23 **MEMBER McDILL:** Thank you.

24 **MR. MCCARTHY:** For the record, my name is  
25 Joe McCarthy.

1 I would defer to Ann Morton and our Saint  
2 John facility to come to the microphone and give her view  
3 of where we are with decommissioning funds.

4 **MS. MORTON:** For the record, Ann Morton.

5 Our decommissioning funds were last --  
6 decommissioning cost estimates were last updated in June  
7 of 2005, and following that update, we have increased the  
8 amount of the decommissioning funds. The cost estimates  
9 are currently based on a 2034 life end for the plant; \$644  
10 million in 2005 dollars, and the funds were updated in  
11 October of 2005 to \$123 million, which is the net present  
12 value of that amount.

13 **MEMBER MCDILL:** Thank you.

14 **THE CHAIRPERSON:** Dr. Dosman, do you have  
15 any more questions?

16 **MEMBER DOSMAN:** No.

17 **THE CHAIRPERSON:** Mr. Stensil, did you have  
18 one more comment? I thought you wanted to interject?

19 **MR. STENSIL:** Yes. Just to reiterate, one  
20 of the points of my submission was that like what happened  
21 with life extension, when there was not -- the CNSC didn't  
22 show the ability or commitment to identifying where there  
23 was a gap in either policy or regulation. It ended up  
24 that the industry decided the process by which life  
25 extension would take place.

1                   What I'm seeing here, again, with long-  
2                   lived non-fuel wastes is it's been admitted that there is  
3                   no permanent long-term plan for the Lepreau wastes and the  
4                   message that I'm hearing is that industry is looking into  
5                   a solution.

6                   I would remind the Commission that the  
7                   federal government's 1996 Radioactive Waste Strategy  
8                   states that the federal government has an obligation to  
9                   set policy and regulations regarding nuclear waste  
10                  management; that is, it shouldn't be industry that's  
11                  deciding these issues.

12                  So one, CNSC, I would hope -- it's  
13                  unfortunate the CNSC staff were not able to identify this  
14                  gap between fuel waste, low-level waste and this  
15                  intermediate waste that there is no waste classification  
16                  system in Canada. That is unfortunate.

17                  But CNSC has to perhaps refer this back to  
18                  the federal government for discussion on a waste  
19                  management strategy for these other types of wastes. The  
20                  decommissioning plan is there, but it is important to note  
21                  that OPG is building a repository for this -- for their  
22                  waste in Ontario.

23                  Is the financial guarantee as it now stands  
24                  ready to build a deep geological repository in New  
25                  Brunswick?

1                   So anyhow, this is just to identify that  
2                   this is a gap or omission in legislation and policy, and I  
3                   think we should learn from our past mistakes, that the  
4                   CNSC should find a policy or a process for staff to see  
5                   these gaps and refer it back up, so it's the opposite of a  
6                   designated officer somehow. That's it.

7                   **THE CHAIRPERSON:** Thank you.

8                   I'd like to follow up with a final  
9                   question, and it was the basis of one of your pages which  
10                  are unnumbered, but it was the page that was entitled  
11                  "Ongoing Collusion Between Staff and the Nuclear Industry"  
12                  and in bold within that, and I'll read it:

13                                 "Greenpeace was troubled to learn,  
14                                 through an access to information  
15                                 request, that the CNSC had been  
16                                 consulting with the Canadian Nuclear  
17                                 Association on a regulator framework  
18                                 for life extension without opening up  
19                                 to a broader dialogue with Canadians."

20                  I think CNSC staff mentioned this activity  
21                  in their introduction, which is the draft regulatory  
22                  document G-360, which, Mr. Stensil, had been released  
23                  yesterday.

24                  So I would like to ask CNSC staff to  
25                  comment on what -- on the wording that Mr. Stensil has put

1       there and, in particular, what they see as the opportunity  
2       for participation in this process, this being a draft  
3       regulatory document. Maybe CNSC staff could indicate the  
4       process that they're engaged in in this, perhaps also  
5       address the issue of collusion with the Canadian Nuclear  
6       Association.

7                   **MR. GRANT:** Thank you. For the record, Ian  
8       Grant.

9                   There's several components to the question.  
10       On the broader question of consultation and what has taken  
11       place in the past, let me note that -- I've referred  
12       already to returns to service of facilities at Pickering  
13       and Bruce. These return to service decisions and the  
14       licence amendments and environmental assessments  
15       associated in that process were part of the Commission's  
16       public hearing process and there was full public  
17       involvement and full public consultation in the licensing  
18       decisions made at that time.

19                   The Commission will probably recall that  
20       about a year ago, at another hearing related to the Bruce  
21       Environmental Assessment Screening Guidelines, Mr. Stensil  
22       did intervene and noted that there was a lack of  
23       regulation. Staff's reply at the time, the advice to the  
24       Commission was that the Regulations were sufficient.  
25       These decisions are made under the *Nuclear Safety and*

1       *Control Act*, but that we did commit to produce and to  
2 formalize the guidance and G-360 which, as Mr. Stensil  
3 correctly notes, has been placed on the public website  
4 yesterday as a draft for consultation.

5                 Realize that staff's commitment, it is a  
6 guide that articulates and formalizes, codifies the  
7 practices that have been followed up to this point.

8                 Mr. Stensil referred to consultations that  
9 have taken place at the Canadian Nuclear Association, and  
10 over the past year, staff have been developing internal  
11 drafts and position papers. We've given presentations to  
12 various groups, including Canadian Nuclear Association.  
13 That position paper was a precursor to the formal guide  
14 that has now come out for public consultation.

15                Looking forward, the guide is now part of  
16 our formal regulatory documents process. It's on the  
17 website for a period of formal consultation. All  
18 stakeholders, the public, Greenpeace, the industry, have  
19 the opportunity to comment to staff, and as part of the  
20 process on receipt of comments, staff will disposition  
21 comments, modify the guide and publish it formally for use  
22 to guide this and future project activities.

23                I do emphasize that the guide codifies  
24 precedent and practices that have taken place in the past  
25 as a result of the public hearing process of the

1 Commission. I hope that answers the various parts of the  
2 question.

3 **THE CHAIRPERSON:** And as I understand it,  
4 you're inviting comments by July 21, so over the next two  
5 months roughly?

6 **MR. GRANT:** Sixty (60) days is the comment  
7 period.

8 **THE CHAIRPERSON:** Thank you.

9 **MR. STENSIL:** May I make a comment again?

10 **THE CHAIRPERSON:** Sorry, with that, I think  
11 this completes the discussion on the submission by  
12 Greenpeace Canada.

13 **MR. STENSIL:** Okay. Thank you.

14 **THE CHAIRPERSON:** Mr. Stensil, I would just  
15 add -- are you still there?

16 **MR. STENSIL:** Yes.

17 **THE CHAIRPERSON:** Because you only tuned  
18 in, I am not President Keen with a deep voice. She was  
19 unfortunately unable to be present today. So it's Chris  
20 Barnes who is presiding.

21 **MR. STENSIL:** Okay.

22 **THE CHAIRPERSON:** Thank you.

23 **MR. STENSIL:** Thank you.

24 **THE CHAIRPERSON:** So you will recall that  
25 earlier in the afternoon we did a little flip-flop and

1 there was a switch between the presentations by the  
2 Conservation Council of New Brunswick and the Saint John  
3 Citizens Coalition for Clean Air. So we're going to turn  
4 our binders back to 06-H4.6.

5 So the next submission is an oral  
6 presentation by Saint John Citizens Coalition for Clean  
7 Air, as outlined in CMD 06-H4.6 and 06-H4.6A, and Mr.  
8 Gordon Dalzell will present the submission from Saint  
9 John.

10 Mr. Dalzell, the floor is yours. Thank you  
11 for your patience.

12  
13 **06-H4.6 / 06-H4.6A**

14 **Oral presentation by**

15 **Saint John Citizens Coalition**

16 **For Clean Air**

17 **MR. DALZELL:** Thank you.

18 Good afternoon, Mr. Chair and  
19 Commissioners. My name is Gordon Dalzell, for the record,  
20 representing the Saint John Citizens Coalition for Clean  
21 Air. It's an environmental public interest group here in  
22 Saint John interested in air quality issues, reduction of  
23 greenhouse gases, climate change, impacts, et cetera.

24 So we thank you for the opportunity to make  
25 this brief presentation overview of our earlier submitted

1 written interventions. We welcome this opportunity to  
2 participate in the public hearing process via this video  
3 hook-up arrangement with you in Ottawa with the main  
4 hearing location.

5 Before I highlight some of the -- just a  
6 few of the points. As I mentioned, I do welcome this  
7 opportunity, but having said that and acknowledged this,  
8 I'm not happy and we're not happy with the fact that the  
9 Canadian Nuclear Safety Commission used an exclusion list  
10 regulation to avoid obliging the environmental assessment  
11 on Point Lepreau refurbishment re-tubing.

12 But we noticed in the earlier intervention  
13 of Greenpeace such a requirement to revisit the  
14 environmental assessment for Quebec Hydro was made. So we  
15 had some difficulty with that and we, for the record, did  
16 agree with Greenpeace's position that the public has been  
17 deprived to participate in a thorough and transparent  
18 environmental review of Point Lepreau.

19 Now, when I go back and look at the staff  
20 report and executive summary, which I just note quickly,  
21 it does cite the environmental assessment in the year  
22 2003, and it says in that report on the Executive Summary:

23 "Furthermore, a further environmental  
24 assessment under CEAA is not required  
25 for refurbishment activities as the

1 effects of the refurbishment and the  
2 continued operation of the reactor  
3 were assessed in the environmental  
4 assessment conducted in 2003 and can  
5 be excluded under Item 2 of the  
6 Exclusion Regulation under CEAA."

7 When you read that, one might come to the  
8 conclusion that that environmental assessment has to do  
9 with the whole re-tubing and the whole refurbishment, but  
10 my understanding, that was centred to the waste management  
11 on site on that particular project. So that was somewhat  
12 unclear and not -- well, not clear to me.

13 We believe that it would be important to  
14 have a two-year licensing period because we think it's  
15 important during the start-up and the operation to have  
16 another licensing process once the plant is up and running  
17 again.

18 So the points that David Coon and the  
19 Conservation Council and Greenpeace made, just to be brief  
20 -- we don't want to review this -- but we certainly  
21 support those rationales that were presented there.

22 Now, a couple of the other points I want to  
23 make -- and page 2 of my note there -- we wanted to know  
24 where these risk analysis and safety assessments are.

25 I did have the opportunity to participate

1 at the Public Utilities Board hearing here a number of  
2 years ago as an intervenor and as part of that process we  
3 were given an confidentiality agreement on a couple of  
4 reports, risk studies, probability or deterministic risk  
5 studies, I'm not sure exactly, but I do remember reading  
6 those and they were confidential. And I said to myself  
7 "You know, I really think the public should have had an  
8 opportunity to read these" but we couldn't even  
9 acknowledge or mention them because of that agreement that  
10 was given to us as intervenors.

11 So what I would like to see, and perhaps  
12 the Commission can ensure that those types of studies that  
13 I guess review potential or possible or heaven forbid any  
14 type of incident or accident or any type of situation like  
15 that, and how they were assessed and studied and how they  
16 were well, put to rest I guess was part of it. I'd like  
17 to see that kind of information as part of this public  
18 process which I couldn't find in the documents.

19 Now, I should point out, when we look at  
20 some of the big industries here in Saint John that have  
21 gone through refurbishments, I can think of two right off  
22 the hand of the largest petroleum oil refinery in Canada  
23 and the Coulson Cove Power Generating Station, both of  
24 those had health studies. One had a public health risk  
25 assessment. And the public health risk assessment for the

1 refurbishment of the refinery was a very comprehensive  
2 document which was like a baseline, and it was very, very  
3 helpful to the public to get a sense and actually to be  
4 reassured, to some degree, that some of the potential or  
5 possible emissions would not -- could or could not have an  
6 impact.

7           And even this year, five years after that  
8 project, there's going to be another study to validate the  
9 assumptions and the information that was presented in that  
10 report. So we're now going to go back and revisit those  
11 assumptions, those predictions to see how much was  
12 accurate, how much was true and how much was false. So I  
13 would like to have seen that type of a process since we  
14 did have them in other industries, I can't understand why  
15 we couldn't have had something like this with regards to  
16 this public review process on this licence.

17           Now, I know everybody is reassured and  
18 everybody is saying "Don't worry. Everything is safe",  
19 and I don't have, you know, really a big reason to believe  
20 it's not true. But I have to admit I do worry and get  
21 apprehensive when there's a certain type of reassurance  
22 and complacency and a certain type of reassurance that  
23 everything is fine, because I have to look at upset  
24 conditions because I live in an area where upset  
25 conditions in a couple of industries were very serious.

1 Nobody every expected them and nobody anticipated them,  
2 and even with the best technology, the best human  
3 intervention of workers, some unfortunate events have  
4 taken place, not just here but in other parts of the world  
5 in these types of industrial operations.

6 So upset conditions, I didn't see enough  
7 work or analysis on that within this licensing process. I  
8 would have liked to have seen more on that, risk studies,  
9 et cetera.

10 Now, finally, or I guess we have to watch  
11 the time. I just want to highlight, I did make a  
12 recommendation that the radionuclides we believe should be  
13 part of the national pollution release inventory under the  
14 Canadian *Environmental Protection Act*. We believe that  
15 all these materials or substances should be reported  
16 within that regulatory reporting framework.

17 And I noticed in section 6.1, environmental  
18 protection, I believe, of the Applicants application, that  
19 page 77 of 150, it says here:

20 "NB Power Nuclear is involved in a  
21 number of industry wide programs and  
22 initiatives including the national  
23 pollution release inventory."

24 As I just mentioned.

25 But my understanding is that if you go to

1       that website there's no reporting requirement for  
2       radionuclides -- I can stand to be corrected -- that are  
3       publicly reported, and this is a reporting system that  
4       millions of Canadians have access to and can use.

5                 Now, I do know, it was mentioned earlier,  
6       the emissions are indicated in the NB Power's website and  
7       on the Canadian Nuclear Safety Commission's website. But  
8       what we'd like to know, like the NPRI, they give you the  
9       actual emissions literally from the stack, not just the  
10      ambient or the dosages. There's a difference between the  
11      ambient contributions and the actual emissions that come  
12      off the industry.

13                So we would ask the Commission if they  
14      would take into consideration ensuring that this nuclear  
15      facility, and all of them, be part of the national  
16      pollution release inventory reporting regimen.

17                I'll just have another quick look at a  
18      couple of other points that we may want to summarize. I  
19      guess we're almost at the end of our time.

20                I think just in terms of the public  
21      participation, public outreach, there is a lot of the  
22      public outreach efforts, and there's been a lot of public  
23      debate about the advantages or disadvantages of  
24      refurbishment, but one thing I would like to see is a more  
25      enhanced community liaison committee. I know there is one

1 and it includes members of the community probably in that  
2 area and others. But I would like to kind of see that  
3 enhanced more and I am not sure if it would be a good idea  
4 to put a few of the critics on there, you know, to kind of  
5 give it a little bit more heavier dynamic on some of the  
6 tough critical questions that some times need to be asked.

7 For example, I was appointed on one which I  
8 never thought I would be but it has served a good purpose  
9 both for the community representative of me and the  
10 industry to have some critical analysis going on in  
11 respect to some of the subject areas in the medians of the  
12 community liaison committee.

13 So I guess we'll kind of conclude with  
14 that. We do have our submission and we are grateful that  
15 the Commission will take it under consideration and will  
16 review our recommendations.

17 Thank you.

18 **THE CHAIRPERSON:** Thank you very much.

19 That submission is open for discussion.

20 Questions, Commissioners? Dr. Dosman.

21 **MEMBER DOSMAN:** I wonder if I might ask the  
22 intervenor if you have been present throughout the full  
23 scope of today and have been able to hear the proceedings?

24 **MR. DALZELL:** Yes, that is correct. I have  
25 been here the entire day, sir.

1                   **MEMBER DOSMAN:** Thank you.

2                   **THE CHAIRPERSON:** Dr. McDill.

3                   **MEMBER McDILL:** I wonder if -- the  
4                   intervenor has posed a number of specific questions and I  
5                   wonder, some of them appear to have answers that probably  
6                   can be handled off line. I'm wondering if staff would  
7                   undertake to answer some of them that are directed at  
8                   them.

9                   **MR. LAFRENIÈRE:** Ken Lafrenière for the  
10                  record.

11                  Yes, staff have gone through this  
12                  intervention as well as all interventions and there are a  
13                  few questions that I could answer right now, one, dealing  
14                  with the national pollution release inventory.  
15                  Essentially, the jurisdiction of that inventory is under  
16                  Environment Canada and they basically control the material  
17                  on it and there is a process for getting release  
18                  inventories, reporting releases to that database. New  
19                  Brunswick Power do report to that but they report  
20                  hazardous releases only. New Brunswick Power, in terms of  
21                  our mandate, are fully compliant with reporting releases  
22                  under our legislation and those are posted and available  
23                  publicly.

24                  I point out also that Environment Canada  
25                  would have to make a policy decision in terms of how that

1 would be handled with the rest of the industry. So it's  
2 not really a specific Lepreau licensing issue.

3 In terms of the -- he mentioned, in terms  
4 of the availability of the risk studies. I'm not sure  
5 exactly which particular risk studies he's referring to,  
6 but of a general nature, the accidents, malfunctions,  
7 design basis of the facilities are contained in document  
8 safety reports that are available to the public, and those  
9 come in large volumes and really contain many detailed  
10 technical information. There are summary reports also  
11 that are available so he could do that if he wished. He  
12 could always get a hold of copies of those.

13 In terms of other things, like reliability  
14 analysis, again, which are basically a description of risk  
15 studies, they also are available. Point Lepreau was  
16 completing one for the refurbishment outages per licence  
17 condition following the international standard accepted  
18 practices that we based our refurbishment integrated  
19 safety review on, and I believe that will be available for  
20 review sometime in the near future; 2008, I believe, is  
21 the final date for that. But we have ongoing reviews of  
22 elements of that program and there are elements of that  
23 public safety assessment in place.

24 In terms of the outreach joining community  
25 liaison groups I think I'd have to turn that over to New

1 Brunswick Power as that is within their purview.

2 **MR. MCCARTHY:** For the record, this is Joe  
3 McCarthy.

4 Currently we do have a liaison community  
5 meeting which spans roughly a 20-kilometre radius from the  
6 station. And, unfortunately, it does not address the  
7 current person that has concerns. In-house at Lepreau we  
8 have discussed the option of broadening that particular  
9 liaison committee or developing a new one. We haven't  
10 come to a conclusion yet, but certainly we're not averse  
11 to setting up another liaison community which goes to a  
12 broader residence or a wider radius from Point Lepreau.  
13 So we're not averse to doing that.

14 We currently -- because the greatest  
15 concern or interest has been expressed within the 20-  
16 kilometre radius it was primarily the reason we focused on  
17 that particular area. But if there was a need or a  
18 requirement to go beyond, we certainly would consider it.

19 **MEMBER MCDILL:** Thank you.

20 **THE CHAIRPERSON:** Any more questions from  
21 Commissioners? Dr. Dosman?

22 **MEMBER DOSMAN:** Just a point; the  
23 intervenor raised a question of staffing and so on. And  
24 considerable as it's been said throughout the course of  
25 the afternoon I'd just like to ask staff and also the

1 company if you feel that the issue of staff training and  
2 staff availability have been adequately covered this  
3 afternoon.

4 **MR. LAFRENIÈRE:** Ken Lafrenière for the  
5 record.

6 Yes, I believe they have.

7 **MR. MCCARTHY:** Joe McCarthy for the record.

8 I believe based on and similar to what I  
9 have said earlier, we have staffing plans in place. We  
10 are moving forward to acquire the necessary staff to  
11 operate Point Lepreau safely and reliably and also to  
12 staff up the refurbishment group. Additionally we're  
13 looking at the demographics of our organization and  
14 putting plans in place to deal with that as people retire.  
15 And we're doing this on a proactive basis. We're working  
16 with the community colleges and the universities to ensure  
17 that we will have people available when required. So I  
18 think we're doing all that's necessary to ensure ourselves  
19 that we will have the necessary staffing.

20 We're under no illusion that staffing is  
21 going to be an issue on a broader basis because there's a  
22 lot of demand and there is a lot of people that are moving  
23 towards -- closer to retirement but I think we're taking  
24 those things all into consideration and we are confident  
25 that we're going to be able to provide the necessary

1 staff. And, as always, we make sure we provide adequate  
2 training to all our staff because it's absolutely  
3 essential if you're going to operate these facilities  
4 safely and reliably.

5 So I think we're addressing that concern.  
6 If there's a specific issue that comes to mind, I'd  
7 certainly like to hear about it.

8 **THE CHAIRPERSON:** Okay.

9 Thank you, Mr. Dalzell.

10 We'll now move to the set of written  
11 submission and as I said at an earlier stage we have 22 of  
12 these and so, again, as far as our process is concerned  
13 these have all been read by the Commissioners. We don't  
14 have an opportunity to pose questions to those writing the  
15 documents but we will pause after each one to see if  
16 Commissioners have any questions either to New Brunswick  
17 Power or to CNSC staff on issues that the intervenors may  
18 be raising. But they are -- there is a basis of public  
19 record and we certainly will consider them in our  
20 deliberations.

21 So I shall move through these 22  
22 submissions and ask Commissioners if they have any  
23 comments after each one.

24 So the first of these 22 is a written  
25 submission by Dr. Marie MacBeath as outlined in CMD 06-

1 H4.16.

2 **06-H4.16**

3 **Written Submission from**

4 **Marie MacBeath**

5 **THE CHAIRPERSON:** Any questions on this?

6 **MEMBER DOSMAN:** Mr. Chair, thank you.

7 I don't have an attachment on this letter.

8 I don't see an H4.16A, and I'd just like to be reassured  
9 that perhaps there is no attachment?

10 Thank you.

11 **THE CHAIRPERSON:** The Secretary says there  
12 is no attachment. That was caught for the transcript.

13 The next one is a written submission by  
14 John K. Sutherland outlined in CMD 06-H4.17.

15 **06-H4.17**

16 **Written Submission from**

17 **John K. Sutherland**

18 **THE CHAIRPERSON:** Any comments, questions?

19 No.

20 The next submission is written by Joe  
21 Valardo outlined in CMD 06-H4.18.

22 **06-H4.18**

23 **Written Submission from**

24 **Joe Valardo**

25 **THE CHAIRPERSON:** Any questions, comments?

1                   If not, the next submission is one written  
2 by Ms. Carol Arbeau in CMD 06-H4.19.

3       **06-H4.19**

4       **Written Submission from**

5       **Carol C. Arbeau**

6                   **THE CHAIRPERSON:** Any comments or  
7 questions?

8                   If not, the next is a written submission by  
9 the New Brunswick Community College, Saint John, outlined  
10 in CMD 06-H4.20

11       **06-H4.20**

12       **Written Submission from the**

13       **New Brunswick Community**

14       **College - Saint John**

15                   **THE CHAIRPERSON:** Comments or questions?

16                   If not, the next submission is one written  
17 by Mr. Paul Zed, M.P., as outlined in CMD 06-H4.21.

18

19       **06-H4.21**

20       **Written Submission from**

21       **Paul Zed, M.P.**

22                   **THE CHAIRPERSON:** Comments? Questions?

23                   If not, the next submission is written  
24 submission by the Association of Professional Engineers  
25 and Geoscientists of New Brunswick as outlined in CMD 06-

1 H4.22.

2 **06-H4.22**

3 **Written Submission from the**  
4 **Association of Professional**  
5 **Engineers and Geoscientists**  
6 **of New Brunswick**

7 **THE CHAIRPERSON:** Comments? Questions?

8 The next submission is one from Energy  
9 Portfolio, outlined in CMD 06-H4.23.

10 **06-H4.23**

11 **Written Submission from**  
12 **Energy Portfolio**

13 **THE CHAIRPERSON:** Questions or comments?

14 Seeing none, we'll move to the next  
15 submission which is a written submission by the New  
16 Brunswick Building and Construction Trades Council as  
17 outlined in CMD 06-H4.24.

18 **06-H4.24**

19 **Written Submission from the**  
20 **New Brunswick Building and**  
21 **Construction Trades Council**

22 **THE CHAIRPERSON:** Questions, comments?

23 Seeing none, we move to the next submission  
24 which is a written submission by the New Brunswick  
25 Department of Energy, outlined in CMD 06-H4.25.

1           **06-H4.25**  
2           **Written Submission from the**  
3           **New Brunswick Department**  
4           **of Energy**

5                           **THE CHAIRPERSON:** Any questions, comments?  
6                           Dr. Dosman?

7                           **MEMBER DOSMAN:** I might ask NB Power about  
8           the -- is there a regular manner in which the New  
9           Brunswick Department relates to the Plant?

10                          **MR. LAFRENIÈRE:** The regular relationship  
11           is between the Minister's office and the CEO's office, so  
12           it's not a direct relationship but we have open  
13           invitations to not only our relevant Ministers but to all  
14           of the MLAs to visit our plants and to answer any  
15           questions at any time.

16                          **MEMBER DOSMAN:** Thank you.

17                          **THE CHAIRPERSON:** The next submission is a  
18           written submission by the Town of Rothesay outlined in CMD  
19           06-H4.26.

20           **06-H4.26**  
21           **Written Submission from the**  
22           **Town of Rothesay**

23                          **THE CHAIRPERSON:** Any comments, questions?  
24                           If not, then the next submission is a  
25           written submission by the town of Grand Bay-Westfield

1 outlined in CMD 06-H4.27.

2 **06-H4.27**

3 **Written Submission from the**  
4 **Town of Grand Bay-Westfield**

5 **THE CHAIRPERSON:** Comments or questions?

6 The next submission is a written submission  
7 by Andrew Drinovz outlined in CMD 06-H4.28.

8 **06-H4.28**

9 **Written Submission from**  
10 **Andrew Drinovz**

11 **THE CHAIRPERSON:** Questions or comments?

12 The next submission is a written one by  
13 Wayne Pollock as outlined in CMD 06-H4.29.

14 **06-H4.29**

15 **Written Submission from**  
16 **Wayne Pollock**

17 **THE CHAIRPERSON:** Questions or comments?

18 The next submission is a written submission  
19 by the Canadian Manufacturers & Exporters outlined in CMD  
20 06-H4.30.

21 **06-H4.30**

22 **Written Submission from the**  
23 **Canadian Manufacturers**  
24 **& Exporters**

25 **THE CHAIRPERSON:** Questions or comments?

1                   The next submission is a written submission  
2                   by the Centre for Nuclear Energy Research, outlined in CMD  
3                   06-H4.31.

4                   **06-H4.31**  
5                   **Written Submission from the**  
6                   **Centre for Nuclear Energy**  
7                   **Research**

8                   **THE CHAIRPERSON:** Any questions or  
9                   comments?

10                   The next submission is a written submission  
11                   by the City of Saint John as outlined in CMD 06-H4.32.

12                   **06-H4.32**  
13                   **Written Submission from the**  
14                   **City of Saint John**

15                   **THE CHAIRPERSON:** Any questions or  
16                   comments?

17                   The next submission is a written submission  
18                   by Clair Ripley outlined in CMD 06-H4.33.

19  
20                   **06-H4.33**  
21                   **Written Submission from**  
22                   **Clair Ripley**

23                   **THE CHAIRPERSON:** Any questions or  
24                   comments?

25                   The next submission is a written submission

1 by the Atlantic Nuclear Services Limited outlined in CMD  
2 06-H4.34.

3  
4 **06-H4.34**

5 **Written Submission from**  
6 **Atlantic Nuclear Services Ltd.**

7 **THE CHAIRPERSON:** Any questions or  
8 comments?

9 The next submission is a written submission  
10 by Victor Aucoin, CMD 06-h4.35.

11  
12 **06-H4.35**

13 **Written Submission from**  
14 **Victor Aucoin**

15 **THE CHAIRPERSON:** Questions or comments?

16 The next submission is a written submission  
17 by the Saint John Board of Trade outlined in CMD 06-H4.36.

18  
19 **06-H4.36**

20 **Written Submission from**  
21 **Saint John Board of Trade**

22 **THE CHAIRPERSON:** Questions or comments?

23 The next submission is a written submission  
24 by the Town of -- I'll need help with this one --  
25 Quispamsis, as outlined in CMD 06-H4.37; apologies to the

1 town.

2

3 **O6-H4.37**

4 **Written Submission from**

5 **Town of Quispamsis**

6 **THE CHAIRPERSON:** Any questions or  
7 comments?

8 If I went too quickly on any of those -- I  
9 asked Commissioners if you had any other comments or  
10 questions and if I did go too quickly. The answer was  
11 "no".

12 So this brings us to the close of the  
13 public portion of the hearing. Do members wish to move  
14 into closed session to ask questions on the security  
15 matters referred to in CMD 06-H4D? The answer is "no".

16 We will move into closed session for that  
17 CMD that pertain to security matters related to Bruce  
18 Power but that's not going to happen in this particular  
19 case since there's no need to do that. So I would like to  
20 thank all of you in this room and especially those in  
21 Saint John.

22 It's been a long day but I think a  
23 productive day and there's been a good deal of sharing of  
24 information and I think adequate time to raise --  
25 particularly for this earlier day for the interveners --

1 to raise many of their concerns and I think both the  
2 licensee and the Commission staff have done their best to  
3 provide on public record as much information as I think  
4 was sought by the interveners, at least for the most part.

5 And so again I thank you for your  
6 attendance and participation in this.

7 I'll ask the secretary to read the final  
8 part.

9 With respect to this matter, I propose that  
10 the Commission confer with regards to the information that  
11 we have considered here today and then determine if  
12 further information is needed or if the Commission is  
13 ready to proceed with a decision and we will advise  
14 accordingly.

15 This hearing is now closed and we will  
16 continue other hearings tomorrow, starting at 8:30 in this  
17 room.

18 Thank you all.

19 --- Upon adjourning at 4:47 p.m.

20

21

22

23

24

25