

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant New Brunswick Power Nuclear

Subject Application to Amend the Point Lepreau
Generating Station Power Reactor Operating
Licence to Reflect Updates in Documentation

Hearing
Date October 16, 2007

RECORD OF PROCEEDINGS

Applicant: New Brunswick Power Nuclear

Address/Location: Point Lepreau Generating Station, P.O. Box 600,
Lepreau, NB, E5J 2S6

Purpose: Application to amend the Point Lepreau Generating Station Power
Reactor Operating Licence to reflect updates in documentation

Application received: August 15, 2007

Date of hearing: October 16, 2007

Location: Canadian Nuclear Safety Commission (CNSC) Public Hearing
Room, 280 Slater St., 14th. Floor, Ottawa, Ontario

Members present: L.J. Keen, Chair

Secretary: K. McGee
Recording Secretary: M. Young

Licence: Amended
Date of Release of Decision: October 24, 2007

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Introduction

1. New Brunswick Power Nuclear (NB Power) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for an amendment to its Power Reactor Operating Licence (PROL) for its Point Lepreau Nuclear Generating Station (PLNGS) located on the Lepreau Peninsula in New Brunswick. The current licence is PROL 17.03/2011.
2. NB Power proposes to revise the PLNGS document entitled “Operating Policies and Principles” (OP&P). The proposed revision is mainly required to address issues which are anticipated to occur either during the planned 2008 refurbishment or as a result of system changes implemented during the refurbishment. The proposed revision also includes changes aimed at improving clarity and the correction of minor typographical errors. The revision of the OP&P requires a corresponding amendment to PROL 17.03/2011.
3. NB Power also requested an amendment to PROL 17.03/2011 to include a reference to the new revisions of two updated site plan drawings.
4. The proposed licence amendments would include changes to the following sections of PROL 17.03/2011:
 - Condition 2.1,
 - Part I of Appendix A and
 - Appendix B.

Issue

5. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*²:
 - a) if NB Power is qualified to carry on the activity that the amended licence would authorize; and
 - b) if, in carrying on that activity, NB Power would make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed.

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

² S.C. 1997, c. 9.

Hearing

6. Pursuant to section 22 of the NSCA, the President of the Commission established a Panel of the Commission to review the application. In establishing the process, a standing panel on procedural matters determined that it was not necessary to hold a public hearing on the matter, and the hearing was conducted by a panel of one commission member, based on written submissions.
7. The Commission, in making its decision, considered information presented for a hearing held on October 16, 2007 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 07-H146) and NB Power (CMD 07-H146.1).

Decision

8. Based on its consideration of the matter, as described in more detail in the following sections of this *Record of Proceedings*, the Commission concludes that NB Power is qualified to carry on the activity that the amended licence will authorize. The Commission is also satisfied that NB Power, in carrying on that activity, will make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends Power Reactor Operating Licence PROL 17.03/2011 issued to New Brunswick Power Nuclear for its Point Lepreau Nuclear Generating Station. The amended licence, PROL 17.04/2011, remains valid until June 30, 2011, unless suspended, amended, revoked or replaced.

9. The Commission includes in the amended licence the conditions as recommended by CNSC staff in CMD 07-H146.

Issues and Commission Findings

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

Qualifications and Protection Measures

11. NB Power requested revisions to the OP&P to accommodate station conditions resulting from the planned 2008 refurbishment outage, to improve the clarity of the wording of certain clauses and to correct minor typographical errors. CNSC staff stated that the anticipated refurbishment outage station conditions that need to be accommodated by the OP&P relate to the Defuelled Core State (DCS) and to the Fresh Fuel Core State (FFCS). CNSC staff noted that the proposed changes to the OP&P pertain mostly to the operational requirements associated with systems that are not required to be available during the DCS and the FFCS. CNSC staff stated that the OP&P document also requires revisions to several sections in order to reflect station operation with three, rather than the current two, standby generators.
12. CNSC staff detailed all of NB Power's proposed revisions in its submission, highlighting the changes and providing the rationale for each. In addition, CNSC staff listed the revisions required to correct typographical errors.
13. CNSC staff explained that the third standby generator will be an "installed spare" capable of being selected to replace either of the current two standby generators. CNSC staff noted that the third standby generator is being installed to enable the station to better meet existing requirements and not to meet any additional requirements.
14. CNSC staff stated that the two revisions to the site plan drawings are required following the completion of construction work relating to the Solid Radioactive Waste Facility and to the new Administration Building.
15. CNSC staff stated that the proposed requests do not pose any unreasonable risk to the health and safety of persons, protection of the environment, maintenance of national security, and measures required to implement international obligations to which Canada has agreed.
16. The Commission is satisfied that that the proposed revisions to the OP&P largely relate to the operational requirements associated with systems that are not required during DCS and FFCS. The Commission is also satisfied that the proposed revisions provide clarity or reduce potential confusion in the OP&P.

Application of the *Canadian Environmental Assessment Act*

17. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*³ (CEAA) have been fulfilled.
18. CNSC staff reported that it had completed an Environmental Assessment (EA) determination. CNSC staff stated that there was no requirement for an EA pursuant to subsection 5(1) of the CEAA.

³ S.C. 1992, c. 37.

19. The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.

Conclusion

20. The Commission has considered the information and submissions of NB Power and CNSC staff as presented in the material available for reference on the record.
21. The Commission is satisfied that the applicant meets the requirements of subsection 24(4) of the *Nuclear Safety and Control Act*. That is, the Commission is of the opinion that NB Power is qualified to carry on the activity that the amended licence will authorize and that it will make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed.
22. The Commission therefore amends, pursuant to section 24 of the *Nuclear Safety and Control Act*, Power Reactor Operating Licence PROL 17.03/2011 issued to NB Power for its Point Lepreau Nuclear Generating Station, located on the Lepreau Peninsula in New Brunswick. The amended licence PROL 17.04/2011 is valid until June 30, 2011.
23. The Commission includes in the licence the recommendations made by CNSC staff in CMD 07-H146.

Linda J. Keen,
President
Canadian Nuclear Safety Commission

Date of release of Decision: October 24, 2007