

From: Thelen, John [<mailto:John.Thelen@cnscccsn.gc.ca>]

Sent: January 30, 2013 4:31 PM

To: DGR Review / Examen DFGP [CEAA]

Subject: DGR JRP request for an overview of the licence structure of major CNSC facilities

Good Day,

In response to a January 7, 2013 request from DGR Joint Review Panel (JRP) Co-Manager Kelly McGee, CNSC Staff developed the attached presentation which provides the JRP an overview of the licence structure for major CNSC facilities. During today's meeting with the JRP, Don Howard (Director, Wastes and Decommissioning Division, Directorate of Nuclear Cycle and Facilities Regulation [DNCFR]) and Peter Elder [Director General, DNCFR] presented the attached and also included illustrative examples of how licence conditions and LCH provisions work together.

Thank-you,

John Thelen, M.Sc., EP

Senior Project Officer
Wastes and Decommissioning Division (WDD)
Directorate of Nuclear Cycle and Facilities Regulation (DNCFR)

Canadian Nuclear Safety Commission | Commission canadienne de sûreté nucléaire
Government of Canada | Gouvernement du Canada

E-mail | Courriel John.Thelen@cnscccsn.gc.ca
Telephone | Téléphone 613-947-2013
Facsimile | Télécopieur 613-995-5086
Address | Adresse 280 Slater Street | 280, rue Slater
Ottawa, Canada K1P 5S9



Canadian Nuclear
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Overview of Licence Structure for Major CNSC Facilities

Presentation to
DGR Project
Joint Review Panel

January 30, 2013

e-Doc 4062424



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Objectives of Presentation

- Provide information to the Joint Review Panel on CNSC Licensing, including:
 - Overview of Licence Regulatory Framework
 - Structure and Form of the Licence
 - Licence Conditions
 - CNSC Staff Licensing Activities

Background

- The Canadian Nuclear Safety Commission regulates the use of nuclear energy and materials to protect the health, safety and security of Canadians and the environment; and to implement Canada's international commitments on the peaceful use of nuclear energy.
- *“A licence may contain any term or condition that the Commission considers necessary for the purposes of the Act ...” Nuclear Safety and Control Act (NSCA) s. 24(5)*

Regulatory Framework

- Licensee Required to comply with:
 - Legal Basis for Licensing:
 - *Nuclear Safety and Control Act (NSCA)*
 - Licence Application Requirements:
 - NSCA and its Applicable Regulations
 - Regulatory Documents, Standards and Guidance
 - CNSC Licence:
 - Consistent set of 14 Safety and Control Areas (SCAs)
 - Grouped into 3 Functional Areas
 - Licence format follows SCAs

Safety and Control Areas

- Management System
- Human Performance Management
- Operating Performance [Conduct of Licensed Activities]
- Safety Analysis
- Physical Design
- Fitness for Service
- Radiation Protection
- Conventional Health and Safety
- Environmental Protection
- Emergency Management and Fire Protection
- Waste Management
- Security
- Safeguards
- Packaging and Transport

Licence

- To issue a licence, the Commission must determine that:
 - Applicant is **qualified** to undertake the authorized activities
 - Applicant will make **adequate provision** to protect persons, the environment, security

Licence (cont'd)

- A Licence:
 - Sets what activities are authorized (e.g. - construct, operate)
 - Sets the requirements for each SCA
 - Requires the licensee to keep the facility/activity safe (i.e., within **Licensing Basis**)
 - Requires changes outside the licensing basis or changes to licence conditions to be approved by the Commission

Licensing Basis

- Safety envelope of the authorized conduct of activities:
 - i. regulatory requirements in applicable laws and regulations;
 - ii. conditions and safety and control measures and documents cited in the licence; and
 - iii. safety and control measures described in the application and documents supporting the application (e.g., - the **Safety Case**)

Licence Elements

- Licence class
- Specified licensee with business address
- Authorize activities
- Valid for a set period
- Terms and conditions

Licence Conditions

- General conditions at beginning
- Typically one condition per SCA
 - More conditions can be added for specific issues
 - Existing conditions can be adjusted to reflect state of development
 - Project-specific conditions can be included

Licence Conditions (cont'd)

Examples:

- *The licensee shall ensure that every contractor working at the facility complies with this licence.*
- *The licensee shall maintain a financial guarantee for decommissioning acceptable to the Commission.*
- *The licensee shall implement and maintain an environmental protection program.*
- *The licensee shall have the documents required for [X] **accepted** by the Commission, or person authorized by the Commission, prior to the commencement of the licensed activities described in Part IV (i) of this licence.*

Licence Conditions Handbook

- Support document to the Licence
- Criteria for verifying licensee compliance with conditions
- Identifies those documents that describe the *Licensing Basis* envelope
- Provides the context of each licence condition
- Provides control of documents
- Changes to LCH approved by CNSC delegated authorities

Licence Conditions Handbook (cont'd)

- Licence Conditions Handbook details what the condition will be assessed against.
- ‘Environmental Protection’ SCA Example:
 - CNSC Regulatory Standard S-296 Environmental Protection, Policies, Programs and Procedures at Class I Nuclear Facilities and Uranium Mines and Mills
 - CSA Standard N288.4 Environmental Monitoring Programs at Class I Nuclear Facilities and Uranium Mines and Mills
 - CSA Standard N288.5 Effluent Monitoring Programs at Class I Nuclear Facilities and Uranium Mines and Mills
 - Licensee documentation associated with environmental protection

CNSC Staff Licensing Activities

- Review licence application
- Prepare Commission Member Document (CMD) that summarizes the review:
 - Staff's assessment of the application (follows SCAs)
 - Staff's assessment of whether the applicant is qualified and will make adequate provisions to protect persons, the environment, and security
 - Recommendations to the Commission on the issuance of a licence
 - Proposed draft of Licence
 - Proposed draft of Licence Conditions Handbook



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