

**Sent:** Thursday, April 24, 2014 8:45 AM

**To:** Interventions

**Cc:** BOYADJIAN Joe(J) - BRUCE POWER; Moses, Colin; Torrie, Brian; Chamney, Larry

**Subject:** Bruce Power comments on REGDOC 2.13.2

Please find below Bruce Power comments on REGDOC 2.13.2 – Import and Export.

Document section/ excerpt of section	Industry issue	Suggested change(if applicable )
	<b>Non-CNSC export requirements</b>	Although this is not an issue that can be addressed by this REGDOC, industry would greatly appreciate a single permit/licensing process for exporting and importing Controlled Nuclear Substances, Equipment and Information.
<b>Section 5.6</b>	Along with the export authorization required from the CNSC for nuclear and nuclear-related dual-use items, the export of these items may also be controlled by Foreign Affairs, Trade and Development Canada pursuant to the <a href="#">Export and Import Permit Act</a> and its corresponding Export Control List.	Given that a revision of the Nuclear Non-proliferation Export and Import Controls Regulations is planned in the near future, we suggest that the CNSC approach Foreign Affairs, Trade and Development Canada to initiate a common process that would link the Import and Export Permit Act and the Nuclear Non-proliferation Export and Import Controls Regulations. It would be our preference that there be one lead agency for this, that being the CNSC.
<b>Section 6.2</b>	<b>Intangible technology transfers</b>  Export controls also apply to intangible transfers of controlled nuclear information; for example, in the case of controlled nuclear information (see A.4 and B.3 of the schedule to the NNIECR). Examples of intangible transfers include:  emails	This section fails to address how to comply with Section 1 of the GNSCR, which requires the licensee to submit the licence to a customs officer upon the import or export of the substance, equipment or information. This is essential for electronic information exchange transactions that require a licence. It would be nice to have guidance on this this requirement from the GNSCR.

face-to-face meetings  
telephone conversations  
provision of services or training  
downloads or other electronic file exchanges

We suggest that guidance be provided on how to comply with this requirement of the GNSCR and suggest that it could possibly be done by submitting the licence to the Canadian Border Services Agency or CNSC by e-mail or a possible change to the GNSCR to address the electronic transfer of prescribed or controlled nuclear information.

Intangible transfers still require export authorization.

Applicants are encouraged to contact the CNSC to discuss how to obtain the appropriate authorization to proceed with these activities.

Please feel free to contact me if you have any questions on our comments.

Regards,

*Maury Burton* | Department Manager | Regulatory Affairs | *Bruce Power*

From: BOYADJIAN Joe(J) - BRUCE POWER  
Sent: Tuesday, April 29, 2014 12:33 PM  
To: Consultation  
Cc: Moses, Colin; Torrie, Brian; Chamney, Larry; BURTON Maury(MP) - BRUCE POWER  
Subject: Additional Bruce Power comments on REGDOC 2.13.2

Gentlemen;

In addition to the comments provided by Maury below, upon further review of the draft REGDOC, we would also like to request some clarification be added regarding the use of cloud technology for data storage where the computer servers are located out of the country.

As you are undoubtedly aware, the use of cloud technology is increasing in today's business environment and it is unclear if the physical location of the computer servers is a factor in assessing

whether the information has been exported or not. If adequate security protocols are in place and the information is only accessed within the country, then is the information considered to have been exported?

Thank you

Joe Boyadjian | Licensing Section Manager | Bruce Power, B10 4W |