



Minutes of the Canadian Nuclear Safety  
Commission (CNSC) Meeting Held on  
October 3, 2019

Minutes of the Canadian Nuclear Safety Commission (CNSC) meeting held Thursday, October 3, 2019 beginning at 3:17 pm at the Lac du Bonnet Community Centre, 25 McArthur Ave, Lac du Bonnet, Manitoba.

Present:

R. Velshi, President  
T. Berube  
S. Demeter  
M. Lacroix  
S. McKinnon

M. Leblanc Secretary  
D. Saumure, Senior Counsel  
W. Khan, Recording Secretary

CNSC staff advisors were: R. Jammal, G. Frappier, C. Moses, M. Hornof and L. Casterton

Other contributors were:

- Ontario Power Generation: G. Rose, R. Geofroy and I. Malek

#### Constitution

1. With the notice of meeting Commission member document (CMD) 19-M28 having been properly given and all permanent Commission members being present, the meeting was declared to be properly constituted.
2. Since the Commission meeting held on May 15, 2019, CMDs 19-M25, 19-M28, 19-M31, 19-M32 were distributed to members. These documents are further detailed in Appendix A of these minutes.

#### Adoption of the Agenda

3. The agenda, CMD 19-M31, was adopted as presented.

#### Chair and Secretary

4. The President chaired the meeting of the Commission, assisted by M. Leblanc, Secretary and W. Khan, Recording Secretary.

Minutes of the CNSC Meeting Held May 15, 2019

5. The Commission approved the minutes of the May 15, 2019 Commission meeting secretarially and noted that the meeting minutes are available on the CNSC website, in both official languages.

STATUS REPORT ON POWER REACTORS

6. With reference to CMD 19-M32, which includes the Status Report on Power Reactors, CNSC staff reported that the Pickering Nuclear Generating Station (NGS) Unit 1 was at full power, and that this was the only update to the status report.
7. The Commission requested additional information regarding the Unit 2 refurbishment delays at the Darlington NGS, as well as the inspection process for the feeder welds. An Ontario Power Generation (OPG) representative responded that OPG had installed 802 lower feeders out of 960 and anticipated completion of that program between October 20 and 22, 2019. In regard to the feeder welds, the OPG representative stated that each weld was inspected following its installation using radiography techniques conducted by an accredited organization, with the Technical Standards and Safety Authority providing oversight over the process as a whole. The OPG representative further added that the weld failure rate was higher than originally expected, at approximately 5%, which caused a delay in the Unit 2 refurbishment schedule.
8. The Commission asked OPG about the reason for the feeder weld failures, noting that the nuclear industry had experienced weld issues globally. The OPG representative stated that OPG used Liburdi orbital welders and that, generally, the weld failure issues were a result of trying to achieve the required welding parameters, noting that the weld issues globally are of a different nature. The Commission was satisfied with the information provided on this issue.
9. The Commission enquired as to whether OPG and Bruce Power coordinated the timing of planned maintenance outages. The OPG representative responded that, when planning the outages, both Bruce Power and OPG took into consideration how much power would remain available to the province and that they collaborated to ensure there was minimal overlap between outages.

### Update on the Potassium Iodide (KI) Pill Working Group

10. CMD 19-M32 also provided information and an update on the progress made by the KI Pill Working Group, which was a commitment that was made by CNSC staff during the June 2018 hearing for the licence renewal for the Pickering NGS.<sup>1</sup>
11. The Commission asked CNSC staff whether any responses had been received in regard to the KI Pill Working Group notification letter that was sent to Indigenous communities with potential treaty rights and title on August 27, 2019. CNSC staff stated that nine letters were sent to Indigenous communities and that two responses seeking further engagement were received. CNSC staff added that a meeting with one of the groups was scheduled for November and that CNSC staff would keep the other group informed as the comment period on the Phase I report approached. In regard to the remaining seven groups, CNSC staff expressed its commitment in following up with these groups once the Phase I Workshop was conducted and more concrete timelines on working group activities were established. The Commission was satisfied with the progress to date.

### INFORMATION ITEMS

#### Status of the Designated Officer Program: 2017 and 2018

12. With reference to CMD 19-M25, which includes an update on the designated officer (DO) Program, CNSC staff presented the following information:
  - The number of DOs by title of office to carry out specific authorities of lower-risk activities (22 in Regulatory Operations Branch and 9 in the Technical Support Branch).
  - The total number of DO authorities carried out by the different directorates and divisions in 2017 and 2018.
  - CNSC staff initiated an annual DO Community Forum in 2018 to ensure continued knowledge management and collaboration amongst DOs.
13. The Commission expressed satisfaction with the transparency on the CNSC website with respect to compliance and event reports, and asked CNSC staff whether inspection reports were publicly available on the website as well. CNSC staff responded that inspection reports were not available on the CNSC's website due to the high volume of the reports, as well as the increased costs of

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<sup>1</sup> CNSC Record of Decision – Ontario Power Generation Inc., *Application to Renew the Nuclear Power Reactor Operating Licence for the Pickering Nuclear Generating Station*, published December 2018.

- translation. CNSC staff further added that the inspection reports are referenced in CNSC staff's Regulatory Oversight Reports and are available to the public upon request. The Commission was satisfied with the information provided on this topic.
14. The Commission enquired about the criteria for the issuance of an order as opposed to an Administrative Monetary Penalty (AMP), and whether such criteria vary across directorates. CNSC staff responded that the CNSC had various enforcement tools that could be used when implementing a graduated approach to enforcement. CNSC staff further added that an AMP is not used as a last resort enforcement tool; rather, depending on the situation, it may be the preferable enforcement action. In regard to the purpose of an AMP and how it is decided to issue one, CNSC staff explained that an AMP is used to promote compliance, rather than to be punitive, and that the *Administrative Monetary Penalty Regulations (Canadian Nuclear Safety Commission)*<sup>2</sup> (AMPs Regulations) details the offences for which an AMP can be issued.
15. The Commission requested information about how the amount of an AMP is determined. CNSC staff stated that the AMPs Regulations set out the ranges for the amount of an AMP, including the determining factors and category of an AMP, and that these consider the nature of the violation and whether the AMP was issued to an individual or a corporation. CNSC staff further explained that, in addition to the AMPs Regulations, regulatory document REGDOC-3.5.2, *Compliance and Enforcement: Administrative Monetary Penalties, Version 2*<sup>3</sup> provided for the calculation of an AMP based on the ranges in the AMPs Regulations and on ratings assigned by the DO for the determining factors.
16. Noting the high number of decisions carried out by DOs, the Commission enquired about whether a review of the number of DOs or an assessment of workload, including workload projections, were periodically carried out. CNSC staff stated that historical trends allowed for such assessments and that, although slight variances were encountered on certain occasions, these were successfully managed since there are multiple DOs that are authorized to make decisions. CNSC staff further added that, over the past few years, efforts have been made to ensure that licence periods did not all expire around the same time to help balance workloads and that an assessment had been carried out to

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<sup>2</sup> SOR/2013-139

<sup>3</sup> CNSC Regulatory Document REGDOC-3.5.2, *Compliance and Enforcement: Administrative Monetary Penalties, Version 2* (published August 2015)

determine whether the number of DOs needed to be reduced or increased. The Commission was satisfied with the information provided on this topic.

17. The Commission asked about whether any other federal or provincial regulators have a program similar to the CNSC's DO Program. CNSC staff responded that there were other federal regulators with programs that were analogous to the CNSC DO Program, such as Health Canada's device licensing for certain equipment, but that the framework of these programs varied. The Commission was satisfied with the information provided, noting that the Canada Energy Regulator was in the process of establishing a DO program.

Closure of the Public Meeting

18. The public meeting closed at 4:10 pm.

  
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Recording Secretary

**NOV 15 2019**  
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Date

  
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Secretary

**NOV 15 2019**  
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Date

APPENDIX A

CMD	Date	e-Docs No.
19-M28	2019-09-04	5981196
Notice of Commission Meeting		
19-M31	2019-09-25	5988430
Agenda of the Meeting of the Canadian Nuclear Safety Commission (CNSC) to be held on Thursday, October 3, 2019, at Lac du Bonnet Community Centre, Lions Hall, 25 McArthur Avenue, Lac du Bonnet, Manitoba		
19-M32	2019-09-25	6003829
Status Report on Power Reactors Written submission from CNSC Staff		
19-M25	2019-10-03	5982568
Information Item Status of the Designated Officer Program: 2017 and 2018 Presentation by CNSC Staff		