

Power Workers' Union (PWU) Submission to the Canadian Nuclear Safety Commission regarding the Ontario Power Generation Inc. (OPG) application for the renewal of the Darlington New Nuclear Project (DNNP) Power Reactor Site Preparation Licence (PRSL) 18.00/2022

The PWU requests to intervene at the Canadian Nuclear Safety Commission (CNSC) public hearing, 9-10 June 2021, in respect of OPG's application for the renewal of the DNNP PRSL.

The PWU requests to intervene by way of this written submission and also to make an oral presentation at the public hearing.

The PWU supports the assessment and conclusions of CNSC Staff as set out in CMD: 21-H4 dated 08 March 2021. Specifically, the PWU supports the conclusion that the DNNP site remains suitable, OPG is qualified to carry out the activities authorized by the PRSL and while carrying out those activities OPG will provide for the health and safety of people and protection of the environment. The PWU strongly supports the recommendation that the PRSL be renewed, with the proposed amendments, for a period of 10 years.

1. The Power Workers' Union

PWU Members are employed throughout Ontario's electricity sector including approximately 1900 women and men employed at OPG's Darlington Site. The PWU has been the bargaining agent for the majority of employees at Darlington since the current reactors were commissioned and at OPG/Ontario Hydro generally for seventy-five years. The majority of PWU represented employees at Darlington live with their families in the surrounding communities.

The employees represented by the PWU at the Darlington Nuclear Power Plant (NPP) work in all facets of the facility, including operations, maintenance, emergency response, security, radiation protection, planning, administration, projects and modifications, and first line supervision. PWU members are the nuclear professionals on the "front line" of the day-to-day operations of the facilities.

In the Darlington Refurbishment Project, in addition to fulfilling many technical and oversight roles on core elements of the Project, PWU-represented employees have

substantial responsibility for the operational work necessary to ensure that the project proceeds safely and efficiently, as well as performing core maintenance work on systems that remain operational.

The PWU will also be representing the employees engaged in that same scope of activities at OPG's Darlington New Nuclear Project.

2. PWU Participation in the Nuclear Regulatory Process

The PWU appreciates the opportunity to address the Canadian Nuclear Safety Commission (CNSC) in its important task of considering the DNNP PRSL renewal. The oversight provided by the Commission and CNSC Staff along with the transparent and engaging licensing process are fundamental to the maintenance of a safe and healthy workplace and community for our members.

The PWU has been an active participant in the regulatory oversight process for nuclear facilities in the province of Ontario for decades. The PWU is a regular participant in the environmental assessment process and intervenes at various CNSC licence hearings for the Bruce, Pickering, Darlington and Canadian Nuclear Laboratories (CNL) nuclear facilities. The PWU also provides written submissions for CNSC public meetings on CNSC Staff's Annual Regulatory Oversight Reports (ROR).

In addition, the PWU participates in stakeholder consultations on CNSC regulatory documents.

Most relevant to this hearing, the PWU participated in OPG's public process to prepare the Environmental Impact Statement (EIS) for the DNNP and made written and oral submissions to the Joint Review Panel (JRP) in 2011.

3. The Darlington New Nuclear Project

The Darlington Nuclear Site is located in the Municipality of Clarington, Ontario. Currently the site has four 881 MW CANDU Reactors, a tritium removal facility and a used fuel management facility. Unit 2 was the first reactor completed at Darlington and it came into service in 1990. The remaining units followed and all four were in service by 1993. The Darlington reactors are now in the process of being refurbished. The refurbishment of Unit 2 was successfully completed and it is back in service. Unit 3 refurbishment is now underway.

The Darlington NPPs are owned and operated by OPG. In addition, OPG is the owner of the Darlington site and OPG is the licensee for the DNNP. The proposed new nuclear project will be located on the east end of the Darlington site.

OPG submitted an Environmental Impact Statement (EIS) and an application for a site preparation licence for the new nuclear project in September 2009. A Joint Review

Panel (JRP) completed an Environmental Assessment (EA) in 2012. The JRP concluded that, taking into consideration OPG's proposed mitigating measures and the JRP's recommendations, the proposed new nuclear project would not likely cause significant adverse environmental effects. In August, 2012 OPG was issued a 10 year PRSL valid until August 2022. The EA was challenged in court but the EA and site preparation licence were upheld.

Meanwhile OPG decided to defer the new nuclear project. OPG has not progressed any of the site preparation activities authorized by the PRSL but they have addressed some of the commitments made in the EA.

OPG submitted an application to renew the PRSL in June 2020. The scope of the project is unchanged from the original application made in 2009. OPG has not yet selected a reactor technology for the Darlington nuclear project but are expected to submit an application in 2022 for a licence to construct.

4. CNSC Staff's Report Regarding the DNNP PRSL Renewal

The PWU supports the assessment and the conclusions reached in the CNSC Staff report, CMD: 21-H4. The PWU believes that CNSC Staff considered the appropriate information and reached the appropriate conclusions. Specifically:

- a. In 2012 an EA was completed by a JRP under the CEEA (1992). The JRP determined that the proposed project is not likely to cause significant adverse environmental effects. CNSC Staff determined that the scope of the renewal application is within the bounds of the approved EA (section 2.1),
- b. CNSC Staff rated OPG's performance in all applicable safety and control areas (SCAs) at the DNNP as "satisfactory" (section 2.2),
- c. CNSC Staff concluded that the DNNP site remains suitable (section 3.4),
- d. CNSC Staff confirmed that the existing licencing basis for DNNP remains valid (section 3.5),
- e. CNSC Staff concluded that OPG is qualified to carry out the activities authorized by the PRSL and in carrying out those activities will make adequate provisions for the protection of the environment, the health and safety of persons and the maintenance of national security (section 6),
- f. CNSC Staff recommended renewing the PRSL, with amendments, for a period of 10 years valid to August 17, 2031 (section 6).

5. Additional Considerations

I. Darlington NPP's strong record of excellence

OPG has a strong record of safe operations at the Darlington NPP with world class operating performance. Darlington regularly meets or exceeds regulatory requirements for all SCAs. Darlington has mature, successful programs for Radiation Protection, Conventional Health and Safety, Environmental Performance, Emergency Management and Fire Protection, Waste Management, Security, Safeguards and Nuclear non-proliferation, Packing and Transport. Darlington has been recognized by the World Association of Nuclear Operators (WANO) and their industry peers for excellent performance.

The PWU is confident that OPG's demonstrated commitment to safety at the Darlington NPP will continue with the Darlington New Nuclear Project.

II. Strong Community support for OPG - Darlington

There is strong community support for the current NPPs at Darlington, Darlington Refurbishment and the Darlington New Nuclear Project. OPG has established a good track record as a responsible, safe operator and a good community partner. That support has been consistent through Darlington's history.

III. PWU's experience with OPG

The health and safety of PWU members on the job has been the one issue above all others that has dominated the PWU's focus throughout its history. Due in part to the strong collaboration between the PWU and OPG, OPG has seen exceptional health and safety records and a robust safety culture at all of their nuclear facilities.

The PWU raises the following examples of continuing measures having a positive impact. These measures are currently in place and will be applicable to the DNNP through all phases of the project.

a) Joint Health and Safety Committees (JHSC)

JHSCs are the main bilateral group responsible for health and safety issues at all workplaces. PWU representatives are assisted by the local PWU leadership as well as PWU staff as required. Safety issues are treated seriously, and the JHSCs are able to resolve issues as they arise. The Darlington JHSC has been very active and successful since commissioning.

PWU Staff and elected representatives conduct regular meetings with PWU JHSC members. In addition the PWU has developed training for PWU JHSC members over and above what is mandated by Health and Safety legislation. These initiatives have supported and strengthened the JHSCs.

The PWU and OPG developed a process where the PWU would appoint investigators to incident investigations where there was a serious or a potentially

serious incident. Fortunately most investigations are in relation to potential or near-miss incidents.

In addition to the JHSCs, the following additional health and safety committees have been agreed to by the PWU and OPG through collective bargaining:

- Joint Policy Committee on Health and Safety - Members of this committee consist of the senior leadership from the Power Workers' Union, the Society of United Professionals (the Society) and OPG.
- Joint Health and Safety Working Committee - This committee consists of the Director of Corporate Safety for OPG, Director of Wellness for OPG, two PWU representatives and two representatives from the Society.
- Joint Committee on Radiation Protection – The purpose of this committee is to provide a forum to discuss radiation protection topics and develop recommendations for improvements to the radiation protection program. In addition to this the PWU has representation on local ALARA (As Low As Reasonably Achievable) Committees including Darlington.
- PWU Health & Safety Committee Support - The PWU Health and Safety Staff Officer meets with the local Chief Stewards and PWU JHSC Members at OPG Nuclear sites on a regular basis. The purpose of these meetings is to ensure that the local JHSC members are kept updated on issues from the OPG Joint Working Committee and to assist with any current issues that the local JHSC members bring forward for discussion.

b) Labour Relations

The PWU and OPG have developed a mature and effective working relationship.

PWU Representatives at all levels have ongoing meetings with OPG on a variety of topics and are engaged in the decision-making process at their workplaces to positively impact the working lives of their members. The PWU Chief Stewards are involved in Senior Level JUMMs (Joint Union Management Meeting) and Chief Stewards and Stewards are involved in a number of Department Level JUMMs. PWU members can, and do, comment on any business related activity via the Station Condition Report (SCR) process, at regular Safety Meetings and in a number of face to face forums. PWU Members are well trained and feel very comfortable asking questions and raising concerns.

The PWU Executive Board Member representing Darlington and the Darlington Chief Stewards meet with OPG's senior leadership for Darlington and Darlington Refurbishment. As the new nuclear project progresses it will also be covered in these meetings.

The PWU Sector Vice President – Nuclear and the PWU Executive Board Members representing Darlington and Pickering meet with the OPG Chief Nuclear Officer and OPG-N's senior leadership.

The PWU President and Sector Vice Presidents meet with the OPG President and OPG's senior leadership regularly.

As stated above, this is a very mature relationship. As the DNNP progresses it will be part of the relationship between the PWU and OPG discussed above. Technology choices for the DNNP are outside of the scope of OPG's application to renew the site preparation licence but the PWU does suggest that early engagement between OPG and the PWU in the technology selection process is mutually beneficial.

6. Concluding comments

The PWU highlights the following:

- The Darlington NPP has been providing clean reliable electricity for Ontario for 30 years along with many socio-economic benefits for the local community and the province. New nuclear will continue to provide those benefits.
- The strong support for Darlington in the local community has been continuous since its construction.
- OPG's has a solid history of safely operating nuclear facilities and nuclear projects including Darlington NPP Operations and Darlington Refurbishment. The PWU has no reason to believe this will not continue through the life of the new nuclear project and the project will benefit from OPG's expertise.
- There is a strong history of collaboration between OPG and the PWU especially on matters related to the health and safety of people and protection of the environment.
- OPG has demonstrated that a refurbishment project on a Darlington Unit can be successfully completed while safely operating the remaining Units. Operations at Darlington's current facilities will not have an adverse effect on site preparations for new nuclear.
- There is a valid EA and a PRSL for the DNNP and the scope of the project has not changed from the original application made in 2009.

In conclusion, the PWU supports the analysis and conclusions of CNSC Staff as set out in CMD 21-H4. Specifically, the PWU supports the conclusions that that the DNNP site remains suitable, OPG is qualified to carry out the activities authorized by the PRSL and while carrying out those activities OPG will provide for the health and safety of people and protection of the environment.

The PWU is in full support of OPG's application and CNSC Staff's recommendation that the DNNP PRSL be renewed, with amendments, for a period of 10 years.

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