
**Atomic Energy of Canada Limited
Summary of Working Meeting**

Meeting location:	Agency offices, Ottawa
Meeting date:	May 13, 2005, 1:30 p.m. – 3:30pm
Present from Crown:	Judy Tamm , Sr Env Assessment Analyst – at HQ Martin Klukas, Sr. Env Assessment Analyst – at Chalk River research facility Mary ? - IT technician
Present from CEAA:	Jim Chan – Crown corporation unit, L&RA Wayne Johnson – Training and Guidance Suzanne Jolicoeur - Registry Diane Bercier – Registry
Main message:	Questions posed by Judy and Martin (AECL) reflected a strong knowledge of the practice of EA and elements of the Act from a practitioners standpoint. If AECL was under the Act, this session provided an opportunity to see how information is posted onto the Registry internet site and clarify the requirements in the Project file. Overall, the session was positive and constructive. Majority of the time was spent on understanding the Registry requirements. However, it was clear that the Agency does not have enough information on the nature of AECL's activities to respond with certainty to their questions on what constitutes a project and when they trigger. The Agency has requested and is waiting documents to understand AECL's concerns and activity. At the moment, it is difficult to understand/ comment on triggers when information is not sufficient and scenarios presented by AECL are hypothetical which may never occur or AECL does not have the authority.

Background:

Judy Tamm (AECL) requested a meeting to learn about the requirements of the CEAR Registry. Discussions to date with AECL have been with AECL lawyers and not Judy. However, it is possible that she has been involved behind the scenes. In discussion with Louise Knox, we learned that Judy Tamm used to be a valuable contributing member of the regional Ontario REAC committee.

At the time during REAC, the provincial Ontario Ministry of Environment suggested that AECL's activities maybe closely related to project proponentcy and would have to do a provincial EA. AECL argued that no, the project proponent would be Ontario Power Generation and AECL is the contract vendor strictly. AECL was deemed correct at the time and subsequently it was

decided that AECL not continue their participation in the REACs because they did not have EA legislative obligations.

Meeting May 13th, 2005

Part 1: Wayne Johnson provided an overview of the Registry requirements in the Act

Part 2: Suzanne provided a Registry training session, including how to create a document, posting of documents, etc.

ATIP provisions do not apply to several government institutions, including AECL, Via Rail, NAC, CBC, EDC, CPC, PSPIB.

However, Registry section 55.5(3) clearly explains that the ATIP provisions apply to Crown corporations. This means that documents in the Project file should be already screened for confidentiality, privacy act info, and sensitive information.

Judy - What is in the Project file of the registry?

Martin - Are engineering reports (500 page technical) part of the Project file?

Response: All documents that are considered "records" pertinent to the EA. Documents should be physically available in hard-copy format. A document list was suggested for the Project file. This list could serve to

Judy - Can the Agency have access to the Project file?

Response: Based on self-assessment, the RA provides input to the online Registry site and the maintains the physical Project file. No, the Agency does normally does not ask to see the contents of the Project file. However, with the newly created QA Program, there may be situations in the future where the Agency requests documents and follow-up material.

Can the RA delegate the Project file to a proponent?

Response: The RA can delegate the conduct and preparation of an EA report but, still has to make a decision. Not sure if registry requirements can be delegated? Most likely probably, however, the RA would have to still maintain sufficient control and oversight because regardless of delegation authority in the Act, it is still the responsibility of the RA.

Judy - What happens if the public wants information from the Project file and AECL can not provide it in a timely fashion. Does the Agency audit this?

Response: No, auditing is done by the Agency as it is a self-assessment process. The purpose of the Registry is to provide convenient public access. Most RAs should not have difficulty in providing requests within 2 weeks. ATIP is normally a 30day process. The Agency does have a QA program which may seek documents from RAs.

Judy – Should we be concerned about patent and design documents in Project file.
Response:

Martin – If AECL becomes an RA like CNSC, can AECL have more clout to determine the scope of the EA? The current situation is such that CNSC determines the scope of the EA.

Judy – How long does the EA remain open with a long follow-up program even if it lasts 50 years?

Response: RA can determine whether a follow-up program, if any, is appropriate under a screening. The Act says that the EA remains open until the end of the follow-up program. In practice, few RAs undertake a follow-up program as defined under the Act. AECL currently does monitoring and evaluation programs as part of their risk management and safety which last 50 years. Jim responded that “follow-up” programs as defined in the EA maybe have a different meaning than a M&E program as part of a larger ISO 9000 program.

At the end of the Registry presentation, Judy asked several questions relating to when they trigger.

s.21(1)(b)

s.21(1)(c)

Is the Act triggered when we build a mock training control room (for Qinshan, China facility) at Mississauga facilities?

Response: It depends on the details of the project.

Is a project at AECL triggered by federal land?

Financial assistance: Wayne commented that the application of the Act is not black or white. It is important to understand the details. The financial assistance can be in “any form of financial assistance” to enable in whole, or in part. Training can be viewed as financial assistance if training is in lieu of \$, to enable a project. General training is not considered financial assistance.

What does EA consolidation mean?

Response: While it is a government priority as stated in the Speech from the Throne, we do not know what form and when consolidation will happen.

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