



Comments on the United Nation’s Economic Commission for Europe Draft Document
Draft Guidance on the Applicability of the Espoo Convention to the Life Extension of Nuclear Power Plants

July 2020

Comment no	Section, part, page, para	Comment	Proposed recommended change
1.	General comment	The draft guidance document is a compilation of discussions that provide interpretation and guidance on the articles related to the lifetime extension of nuclear power plants. The content consists of sections that are comprehensive and informative. However, the structure of the document could be revised to improve flow and facilitate review and use (refer to proposed changes).	<p>Recommend the following proposed changes to reorganize sections and sub-sections of the document to improve flow and understanding of the draft guidance.</p> <p>1. Recommend reducing the number of subsections for section 1 (Introduction)</p> <p>1. Introduction (reduce # of items)</p> <ul style="list-style-type: none"> A- Background to include (rationale, mandate), B- Scope, C- Structure <p>2. Recommend creating a new section (section II) which outlines factors that were considered in developing the guidance. This new section would</p>

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			<p>capture existing sections C, F and G of the current introduction.</p> <p>II. General Guidance Considerations</p> <p>A- Process for the guidance B- Input from other Fora C- Guidance principles</p>
2.	General comment	<p>Further to comment 1, it is recommended that the section titles be reduced in length to improve comprehension and improve flow of information.</p> <p>Suggested changes to the section titles are provided under the "Proposed Change" column.</p>	<p>The following are proposed suggestions to reduce the section titles to facilitate the use of the guidance document.</p> <p>1. Recommend revising the title of the current section II (proposed section III) as follows:</p> <p>III. Lifetime Extension of Nuclear Power Plant</p> <p>2. Recommend revising the title of the current section III (proposed section IV) as follows:</p> <p>IV. Lifetime Extension: An Activity or a major change and characteristics of a major change</p> <p>3. Recommend revisions the title of the current section IV (proposed section V) as follows:</p> <p>V. Lifetime Extension: Likely to Cause significant Adverse Transboundary</p>

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			<p>4. Recommend revisions to the title of the current section V (proposed section VI) as follows:</p> <p>VI. Lifetime Extension: A Decision of a Competent Authority in accordance with an Applicable National Procedure</p>
3.	Section I, part E, page 7, para 18	<p>The scope of the guidance document states that the guidance provides assistance to:</p> <ul style="list-style-type: none"> a) parties in determining whether or not a transboundary environment impact assessment for the lifetime extension of nuclear power plants is required b) the Implementation Committee in assessing compliance with the requirements of the Convention <p>Point (a) is well developed and covered through the subsequent sections of the guidance document. However, the document seems to be silent on how the Implementation Committee should assess if the relevant requirements have been met.</p>	Recommend that a new section be added to the guidance document which provides guidance to the Implementation Commission for assessing compliance with the requirements of the Convention.
4.	Section II, part C, pages 10-11	Section II, part C outlines the four different situations which may be understood as a possible lifetime extension based on the discussion provided in the guidance. This section would benefit from specific examples for each situation to further illustrate the different situations.	Recommend that specific examples be included to further illustrate and explain the different situations for lifetime extension as outlined in this section.
5.	Section II, Part C, page 10, situation 1	This section states, "... If a licence includes an expiration date, the validity period for the licence may, from a legal perspective, establish its lifetime. A new licence or extension of the existing licence may then be called a lifetime extension"	Recommend that another paragraph be added to this section to indicate that an expiration date in a licence may not be the only criteria to establish the lifetime. The design life of structures, systems or components may also determine the lifetime if the nuclear power plant.

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		The lifetime of a NPP may also be determined by its design life and not solely the expiration date of the license. As such it is recommended that another paragraph be added to situation 1 to capture his situation.	
6.	Section IV, part C, page 16, para 83	<p>In Canada under the current federal impact assessment legislation (i.e., <i>Impact Assessment Act</i>), there is no requirement for an assessment for the lifetime extension of a nuclear power plant. The <i>Physical Activities Regulations</i> outline which physical activities or projects require a federal impact assessments. Based on this legislation, no impact assessment is required for lifetime extension. The Canadian Nuclear Safety Commission (CNSC) as Canada’s sole nuclear regulator requires that environmental effects of all nuclear facilities or activities be considered and evaluated when licensing decisions are made. For projects not assessed under listed under the <i>Physical Activities Regulations</i>, CNSC assesses the environmental and health effects under the <i>Nuclear Safety and Control Act</i>.</p> <p>Given the scenario described above for the Canadian nuclear context it is recommended that the text in paragraph 83 be modified from “it <u>is</u> necessary” to “it <u>may</u> necessary”.</p>	<p>Proposed change to paragraph 83 as indicated in red text:</p> <p>“In order to identify the possible adverse impacts of a lifetime extension it is may be necessary to undertake an environmental impact assessment prior to the decision on lifetime extension.”</p>
7.	Section III, part D, page 14, para 70-71	Feedback is being sought regarding whether or not to add paragraphs 70-71. It is our recommendation that these paragraphs <u>not</u> be included in the guidance document. It is our opinion that paragraphs 68-69 provide sufficient guidance.	Refer to comment.

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8.	Section IV, part C, page 17, para 90-92	Feedback is being sought regarding whether to add paragraphs 91, 92 or neither. It is our recommendation that <u>paragraph 91</u> be included in the guidance document.	Refer to comment.
9.	Section V, part B, page 20, para 115-116	<p>Feedback is being sought regarding whether to add paragraphs 115 or 116. It is our recommendation that <u>paragraph 116</u> be included in the guidance document.</p> <p>The Canadian Nuclear Safety Commission (CNSC), as Canada's sole nuclear regulator, requires the environmental effects of all facilities or activities to be evaluated and considered when licensing decisions are made. Therefore, the text in paragraph 116 aligns with the CNSC's current process.</p>	Refer to comment.
10.	Annex	<p>The covering note for the Working group indicated that the authors of the guidance document had intended to provide a third annex which would have provided case studies for lifetime extensions and how the guidance would apply. The Working Group chairs requested feedback, via the cover letter, regarding whether such an annex would be necessary.</p> <p>Based on our review of the draft guidance document, we are of the opinion that such an annex would be beneficial in assisting users of the document with how to implement the guidance using practical examples.</p>	Recommend adding Annex 3 (informative) to illustrate how to practically apply this guidance to the lifetime extension of nuclear power plants.