Canadian Nuclear Safety Commission

2009-10 Estimates

Part III – Report on Plans and Priorities

The Honourable Lisa Raitt, P.C., M.P. Minister – Natural Resources Canada

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Message from the President

It is with great pleasure that I submit to Parliament the 2009–10 Report on Plans and Priorities of the Canadian Nuclear Safety Commission (CNSC).

The CNSC is preparing for the future. It must be ready to address existing and new initiatives relating to the refurbishment of aging nuclear power plants; to the applications for new nuclear power plants; to the expanding interest in uranium mining activities; and to the various nuclear applications in health care and industrial radiography.

In the January 26, 2009 *Speech from the Throne*, the Government of Canada introduced new measures to stimulate the economy and reinforced its commitment to the priorities set out in Fall 2008. The Fall speech outlined Canada's commitment to securing its energy future and stated specifically that "Nuclear energy is a proven technology, capable of reliable, large-scale output. In Canada and around the world, energy authorities are investing in nuclear power to meet both energy security and climate change goals. Our Government will ensure that Canada's regulatory framework is ready to respond should the provinces choose to advance new nuclear projects."

The CNSC will meet its day-to-day regulatory responsibilities, and the new demands being placed on it, by modernizing its regulatory framework and by engaging its government partners, through the Major Projects Management Office, to promote efficiency and regulatory improvements for major projects. Furthermore, through rigorous licensing and compliance processes, the CNSC will work with its international partners to ensure Canada's security and obligations for international safeguards are met.

The shutdown of Atomic Energy of Canada Limited's (AECL) National Research Universal (NRU) research reactor in December 2007 demonstrated the importance of the NRU research reactor as a global supplier of isotopes, and the fragility of this supply chain. Following this incident, the CNSC has responded to the recommendations made by Talisman International LLC in its *Lessons Learned* report. The CNSC is implementing an organization-wide action plan (Harmonized Plan) of improvement initiatives to reinforce commitment tracking, regulatory clarity and good communication.

The CNSC is also implementing a transparent protocol for the re-licensing of the NRU in 2011. This will enable the government, AECL and all Canadians to know clearly and in advance what the CNSC requires to extend the NRU's operating licence.

The 2009 Budget also commits to strengthening the management of the Public Service. To support this, the CNSC will continue to strengthen its fiscal and human resources management. The CNSC has traditionally been funded exclusively through an annual appropriation from Parliament. However, revenues generated from cost recoverable activities authorized in the *Canadian Nuclear Safety Commission Cost Recovery Fees Regulations* will now be re-spent through a new revenue spending model. This approach will provide the CNSC with more flexibility to meet regulatory requirements on a sustainable basis.

To meet our future obligations, the CNSC must have staff capacity and expertise to do the job. The CNSC has been successful in attracting new employees over the past two fiscal years. We want to ensure that both new employees and current staff are highly committed to our organization and its objectives. We want to become an employer of choice. We look forward to receiving input from our employees through surveys that have been conducted as we continue to focus on excellence and, where needed, improve our performance. We know that employee development, strong leadership, excellent external/internal client services, and enabling policies and programs will be important elements to achieve our goal of being a top employer.

Canadians can be assured that the CNSC will continue to regulate the nuclear sector to protect the health, safety and security of persons and the environment; and to respect Canada's international commitments on the peaceful use of nuclear energy. I am confident that the CNSC will continue to fulfill this mandate as it strives to be the best nuclear regulator in the world.

Michael Binder President

1.1 Summary Information

Raison d'être and Responsibilities

Canadian Nuclear Safety Commission's Mandate

The CNSC regulates nuclear energy and substances in Canada. Through its licensing, certification and compliance processes, the CNSC ensures that nuclear activities are carried out safely, in order to protect people, their health and their environment. The CNSC also works to ensure that Canadians and Canadian companies respect Canada's international commitments on the peaceful use of nuclear energy.

The CNSC was established in 2000 under the <u>Nuclear Safety and Control Act</u> (NSCA), and reports to Parliament through the Minister of Natural Resources. The agency was created as a successor to the former Atomic Energy Control Board, which was founded in 1946. The CNSC's mandate, responsibilities and powers are set out in the NSCA. Through the NSCA, regulations, associated regulatory documents, licences and licence conditions, the CNSC regulates the entire Canadian nuclear cycle and all aspects of nuclear safety.

The CNSC regulates:

- Nuclear power plants
- Uranium mines and mills
- Uranium processing and fuel fabrication facilities
- Nuclear research and test facilities and non-power plants
- Nuclear substance processing facilities
- Radioactive waste and waste management facilities
- Hospitals and cancer treatment centres
- Decommissioning of heavy water production plants

The organization is also responsible for:

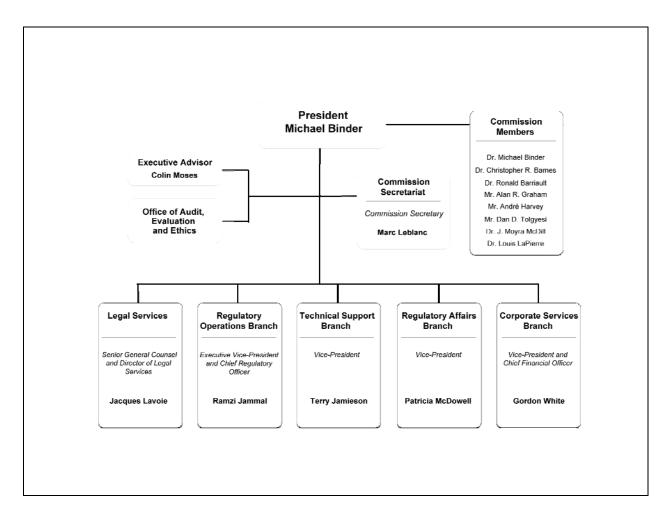
- regulating the use of nuclear substances and radiation devices, the packaging and transport of nuclear substances, and the import and export of nuclear substances and equipment
- verifying that personnel who hold key safety-related jobs at nuclear facilities are certified

The CNSC also administers the <u>Nuclear Liability Act</u> and, as Responsible Authority under the <u>Canadian Environmental Assessment Act</u>, carries out Environmental Assessments (EAs) for nuclear projects in accordance with this legislation.

The CNSC's Commission Tribunal has up to seven permanent members, appointed by the Governor in Council and is supported by more than 800 employees. The President of the CNSC is a permanent full-time member, and other members may be appointed to serve full or part-time. Temporary members can also be appointed by the Governor in Council as required. Commission Tribunal members are chosen based on their credentials and are independent of all political, governmental, special interest group or industry influences.

The Commission Tribunal makes independent, fair and transparent decisions on the licensing of nuclear-related activities, makes legally binding regulations, and sets regulatory policy direction on matters relating to health, safety, nuclear security and the environment. With respect to licensing matters related to major nuclear facilities, the Commission Tribunal considers applicant proposals, recommendations of the CNSC personnel, and stakeholder views before making its decisions. To promote openness and transparency, the Commission Tribunal conducts business to the greatest extent possible in public hearings and meetings and, where appropriate, in communities affected by the decision at hand. Tribunal hearings are conducted in a public forum approximately 10 times per year and decisions are released within 30 business days after the closing of the hearings.

The following organizational chart provides additional details.



Note:

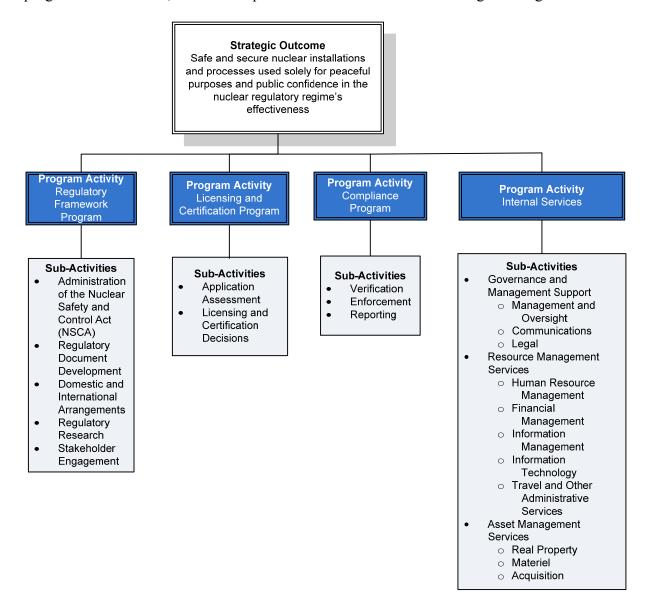
Dr. J. Moyra McDill's term expired in late October 2008

Mr. Alan R. Graham's term expired December 31, 2008

In both cases, these members have been authorized to complete files that had been seized prior to the expiry of their terms.

Program Activity Architecture

The following chart illustrates the CNSC's complete framework of program activities and program sub-activities, which roll up and contribute to the CNSC's single strategic outcome:



Program Activity Architecture Crosswalk

In Spring 2008, the Treasury Board Secretariat approved the CNSC's submission for modifying its Program Activity Architecture (PAA) for 2009-10 and beyond.

The purpose of these changes is to more accurately reflect how the CNSC plans, monitors and reports on its performance. This re-alignment resulted in a single, clear planning and reporting framework that presents how the organization manages its programs.

Regulatory framework, licensing and certification, and compliance replaced nuclear regulation as program activities. Cooperative undertakings and stakeholder relations became sub-activities under the regulatory framework program activity. Additional sub-activities as illustrated in the PAA chart on page 11 were added to further define the PAA.

The following table provides a crosswalk for the CNSC's 2008-09 planned spending to the new PAA.

	2008-09 Strategic Outcome and Program Activities
(\$ thousands)	Strategic Outcome: Safe and secure nuclear installations and processes solely for peaceful purposes; and public confidence in the nuclear regulatory regime's effectiveness.
(\$ thousands) 2009-10 Strategic Outcome and	
Program Activities	Nuclear Regulation
Safe and secure nuclear installations	
and processes used solely for peaceful	
purposes and public confidence in the	
nuclear regulatory regime's	
effectiveness.	
Regulatory Framework Program	\$27,589
Licensing and Certification Program	\$29,873
Compliance Program	\$25,474
Internal Services	\$34,749
Total 2008-09 Planned Spending	\$117,685

1.2 Planning Summary

Based on current projections, there is a long term increased need for energy sources in Canada and globally. Nuclear power is seen as a key contributor to meeting that increased demand while avoiding harmful greenhouse gas emissions. This demand is also expected to lead to plans for refurbishing existing nuclear power plants as they come to the end of their operating lives and to investments in new nuclear power facilities. Growth in nuclear energy also affects the entire nuclear fuel cycle from uranium mining and milling, uranium refining and fuel production to long-term management of nuclear waste.

With renewed focus on nuclear power comes the need for the CNSC, as Canada's nuclear watchdog, to adapt its operations to regulate, license, and ensure compliance with nuclear-related legislation in a simple, clear, and timely fashion to protect the health, safety and security of persons, and the environment. Many responsibilities accompany this need for adaptability. These include strengthening how the CNSC operates, making sure licensees understand requirements, enhancing the CNSC's capacity and communicating with various stakeholders.

To this end, the CNSC executive team identified priorities for the upcoming planning period. This fiscal year, the priorities are presented under the following four pillars: commitments and ongoing improvements; clarity of our requirements; capacity for action; and communications. These four pillars and their associated priorities support progress towards the CNSC's strategic outcome.

Commitments and ongoing improvements

In addition to conducting core licensing and compliance activities, this pillar includes prioritizing and completing outstanding improvement initiatives, plans, and commitments, particularly those resulting from the Talisman *Lessons Learned* report of 2008. It also includes assessing findings of other audits and evaluations, and ensuring that the health of Canadians and the safety of facilities are central considerations in all licensing and compliance activities through initiatives such as isotope contingency planning and dealing with environmental concerns.

Clarity of our requirements

This pillar includes creating broad awareness among proponents of the CNSC's requirements stemming from the NSCA, licensees and vendors of technology related to the CNSC's requirements, particularly in terms of the initial phases of new builds (for example, design reviews, review guides, joint review panels); revitalizing the CNSC's regulatory framework; clarifying regulatory documents and guidance, including specific attention to guidance for licence applications and EAs; engaging government partners through the Major Projects
Management Office; and continuing the implementation of an improved protocol for NRU licence renewal.

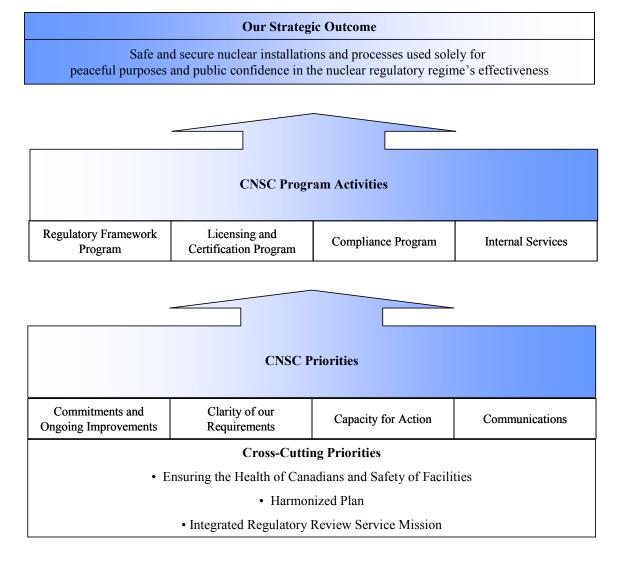
Capacity for action

This pillar includes maintaining and renewing the CNSC's workforce to ensure sufficient knowledge and skills to fulfill our mandate. This means continuing efforts to make the CNSC an employer of choice through renewal, retention and recruitment initiatives; fully implementing the new Revenue Spending Authority as the CNSC's primary funding mechanism; strengthening planning and operational processes; and renewing critical infrastructure (for example, information technology and accommodations).

Communications

This pillar includes work to strengthen communications with the CNSC's licensees, stakeholders, Aboriginal peoples, international counterparts, other government departments and central agencies.

The following diagram depicts how the CNSC priorities are aligned to the organization's program activities and ultimately to its strategic outcome.



Planning Summary Table

The following table summarizes the links between the CNSC's strategic outcome, program activities, expected results and Government of Canada outcomes. It also includes estimated planned spending by program activity:

Strategic Outcome: Safe and secure nuclear installations and processes used solely for peaceful purposes and public confidence in the nuclear regulatory regime's effectiveness.					
Performance Indicators Targets					
Compliance rating of licensees (for each program)	Satisfactory or better in all safety areas				
Number of radiation exposures over the allowable limits	Zero reported cases				
Positive International Atomic Energy Agency (IAEA) Safeguards Conclusion	Positive Annual Safeguards Broad Conclusion for Canada				

nuclear instal solely for peo public confid	come: Safe and secure lations and processes aceful purposes; and dence in the nuclear gime's effectiveness.	Estimated Planned Spending* (\$ thousands)						Alignment to Government of Canada
Program	Expected Results	2009-10	2009-10 2010-11 2011-12**		*	Outcome Areas		
Activity ¹	Expected Results	Expenditures	FTEs	Expenditures	FTEs	Expenditures	FTEs	ricas
Regulatory Framework Program	A clear and pragmatic regulatory framework	28,761	149	28,668	149	21,366	105	
Licensing and Certification Program	Individuals and organizations that operate safely and conform to safeguards and nonproliferation requirements	31,272	202	32,010	207	31,912	200	Social Affairs: A
Compliance Program	High levels of compliance with the regulatory framework	40,605	255	41,540	263	41,391	254	Safe and Secure Canada
Internal Services	Activities and resources administered to support the needs of programs and other corporate obligations	42,093	234	42,764	241	39,802	216	
	Total	142,731	840	144,982	860	134,471	775	

¹ For program activity descriptions, please access the Main Estimates.

^{*} Most costs incurred for the CNSC's regulatory activities are recovered by the federal government from licensees under the *Canadian Nuclear Safety Commission Cost Recovery Fees Regulations* (2003). In 2009-10, the CNSC projects to recover approximately \$97.6 million from licensees pursuant to Section 29.1(1) of the *Financial Administration Act*. See: Departmental Planned Spending and Full-Time Equivalents for additional details.

^{**} In 2006-07 and 2007-08 the Treasury Board approved additional resources for CNSC workload pressures resulting from industry growth and regulatory workload pressures. The Treasury Board authorized those resources only to 2010-11, with the understanding that future years' requirements would be assessed following a policy review by Natural Resources Canada.

Risk Analysis

In the January 26, 2009 *Speech from the Throne*, the Government of Canada reinforced its commitment to the priorities set out in Fall 2008, when it committed to ensuring Canada's regulatory framework would be ready to respond if the provinces chose to advance new nuclear projects. During the planning period, the CNSC will invest much effort to ensure its work is effective and efficient in meeting this demand.

The CNSC remains committed to addressing areas of highest risk to the health, safety and security of persons, and the environment, and to communicating its expectations of licensees and engaging stakeholders, including other government departments, the MPMO, Aboriginal consultations, and international counterparts.

The CNSC is currently regulating refurbishment work on existing aging power plants and receiving applications to construct new nuclear power plants. There have also been increased use of and dependence upon nuclear technology and materials in the medical and industrial sectors, along with an increase in uranium mining and waste management considerations. The long-term nature of major nuclear projects presents additional challenges for the CNSC, as these projects will face changing economic, technological, social, and political conditions throughout their development and operation. If the current economic downturn continues, it may risk altering projections for new nuclear power plants and may result in fewer applications. Together, these factors contribute to significantly increased regulatory demands.

While the long-term projections for increased energy production include nuclear supply, the contracting international and domestic economies are creating difficulties for companies engaged in excavation, mining, processing, and development of nuclear materials (for example, uranium mining) and technology. Potential reductions or slowdowns in nuclear industry growth could affect the CNSC's operations and funding, as the organization must accommodate the regulatory demands of a rapidly adjusting industry. The CNSC also faces the possibility of having to regulate new and different nuclear technologies. The result of a move to a variety of nuclear technologies would create training, licensing, and compliance challenges.

To address these challenges, the CNSC continues to build a robust and responsive regulatory framework that clearly defines expectations and provides stakeholders with strengthened guidance.

The CNSC and other nuclear organizations share the challenges associated with an aging population; consequently, the CNSC is competing with a growing nuclear sector for the same skilled workers. Since 22% of CNSC employees will be eligible to retire in the next five years, the organization will continue to be innovative and implement aggressive recruitment and retention strategies. Furthermore, the CNSC will need to put in place appropriate means for effectively capturing and transferring corporate knowledge.

The CNSC has addressed and continues to address recommendations from the Auditor General of Canada, the Treasury Board Secretariat (for example, Management Accountability Framework assessment) and, most recently, the Talisman International LLC's <u>Lessons Learned</u> report,

through prioritizing all of its improvement initiatives under one Harmonized Plan, which will ensure that critical changes are made first. This plan helps identify the commonalities between different improvement initiatives and will enable the CNSC to streamline, prioritize and distribute resources to maximize efficiency and reduce duplication of effort. This has been evident during the current planning exercise where efficiency gains resulted in a 10% reduction in initial full-time equivalents projections.

Internally, the CNSC will be moving to a new funding arrangement relative to its cost recovery regime. While the CNSC has recovered from licensees the full costs of related regulatory activities since 2003, the full implementation of Revenue Spending Authority (approved in late 2008) will allow the Commission to re-spend the revenues as its primary funding source. Additionally, funding for fee-exempt resources currently provided via Parliamentary appropriation will be phased out in 2011-12 requiring a review of the CNSC policy on fee-exempt licences. The entire funding regime (re-spendable revenues and appropriations) will require strengthened and near real-time planning, reporting and cash flow management.

Governments are publicly accountable for the services they provide their taxpayers, and for how they use resources to provide services. In Fiscal Year 2009-10 the CNSC will benefit from the oversight and challenge function and from advice to management provided by its new external audit Committee.

Not only does growth bring challenges, but also opportunities to reinforce to Canadians that the CNSC remains focused on transparency and having the highest degree of credibility as a nuclear regulator. The CNSC will ensure that evaluation and development of nuclear projects will help build and maintain its credibility with stakeholders.

Expenditure Profile

Funding of CNSC Operations

The CNSC's operations used to be funded exclusively through an annual appropriation from Parliament while funds were collected from industry pursuant to the *Canadian Nuclear Safety Commission Cost Recovery Fees Regulations*. However, effective April 2009, the CNSC will be authorized to re-spend fees recovered from specific licensees that relate to the full costs of regulatory activities. Full implementation of the Revenue Spending Authority (RSA) will represent the CNSC's primary funding. As a result of this change in funding regime, the CNSC's parliamentary appropriation has decreased from \$80.1 million in 2008-09 to \$40.7 million in 2009-10 (excluding employee benefits plan and accommodation). The residual appropriation will fund the CNSC activities related to applicants and licensees that are fee-exempt (such as hospitals and universities), activities related to international obligations (including safeguards activities in support of the non-proliferation of nuclear weapons), outreach and stakeholder relations activities, public responsibilities such as emergency preparedness, and the ongoing oversight of the NSCA and the associated regulatory framework.

The \$25 million increase in total planned spending from 2008-09 to 2009-10 is attributed to an increase in regulatory and support workload (760 full-time equivalents in 2008-09 vs. 840 full-time equivalents in 2009-10). Under the RSA, expenditures previously paid by Public Works and Government Services Canada (PWGSC) will be recovered from licensees. These include accommodations and employee health insurance premiums which were previously considered to be "cost of services received without charge".

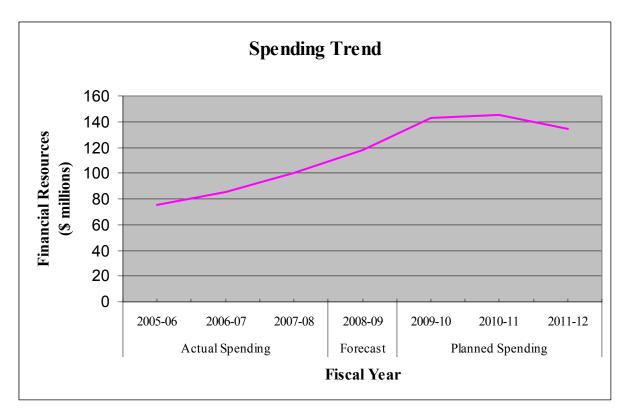
The decrease of approximately \$13 million in total main estimates from 2010-11 to 2011-12 results from Treasury Board decisions in 2007 and 2008 to fund only projected increases in non-cost recoverable workload to 2010-11. Resources projected for 2011-12 and beyond to sustain the Commission's regulatory efforts for fee-exempt licences such as hospitals and educational institutions will be further considered by the Treasury Board following a joint policy review with Natural Resources Canada.

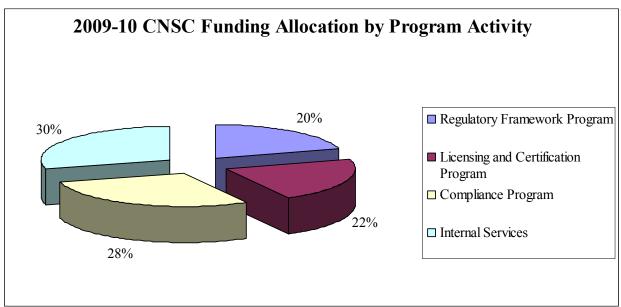
Departmental Planned Spending and Full-Time Equivalents

Departmental runni	~ F	5	$=q \cdots = q \cdots$	***************************************
-	Forecast	Planned	Planned	Planned
	Spending	Spending	Spending	Spending
(\$ thousands)	2008-09	2009-10	2010-11	2011-12*
Program Activity				
Regulatory Framework Program	24,820	28,761	28,668	21,366
Licensing & Certification Program	15,513	31,272	32,010	31,912
Compliance Program	23,245	40,605	41,540	41,391
Internal Services	26,602	42,093	42,764	39,802
Budgetary Main Estimates (Gross)	90,180	142,731	144,982	134,471
Less: Respendable Revenue	0	(97,597)	(100,138)	(102,929)
Total Main Estimates	90,180	45,134	44,844	31,542
Adjustments:				
Revenue Spending:				
Revenue Spending Authority (RSA)	19,618	97,597	100,138	102,929
Supplementary Estimates:				
Carry Forward	3,250			
Exempt Licenses TB Submission	4,056			
Compensation - TB Vote 15	485			
Employee Benefit Plans (EBP)	96			
Total Adjustments	27,505	97,597	100,138	102,929
Total Planned Spending **	117,685	142,731	144,982	134,471
T-4-1 Nl 1 C 1:	117 (05	1.42.721	144.002	124 471
Total Planned Spending	117,685	142,731	144,982	134,471
Less: Non-Respendable Revenue	(67,451)	(07.507)	(100 120)	(102.020)
Respendable Revenue	(19,618)	(97,597)	(100,138)	(102,929)
Plus: Cost of services received without	11,749	4,661	4,737	3,690
charge Net cost of Program	42,365	49,795	49,581	35,232
			1	,
Full-Time Equivalents	760	840	860	775

^{*} In 2006-07 and 2007-08 the Treasury Board approved additional resources for the CNSC workload pressures resulting from industry growth and regulatory workload pressures. Resources projected for 2011-12 and beyond to sustain the Commission's regulatory efforts for fee-exempt licences such as hospitals and educational institutions will be further considered by the Treasury Board following a joint policy review with Natural Resources Canada.

^{**} The increase in planned spending from 2008-09 to 2009-10 is due primarily to two factors; regulatory and support workload growth and the full implementation of the CNSC's Revenue Spending Authority (RSA) whereby expenses such as accommodations and health insurance formerly centrally funded (PWGSC and TBS) are now charged out and recovered by the CNSC. This also explains the decrease in services received without charge to the CNSC (\$11.7M to \$4.7 M).





Voted and Statutory Items

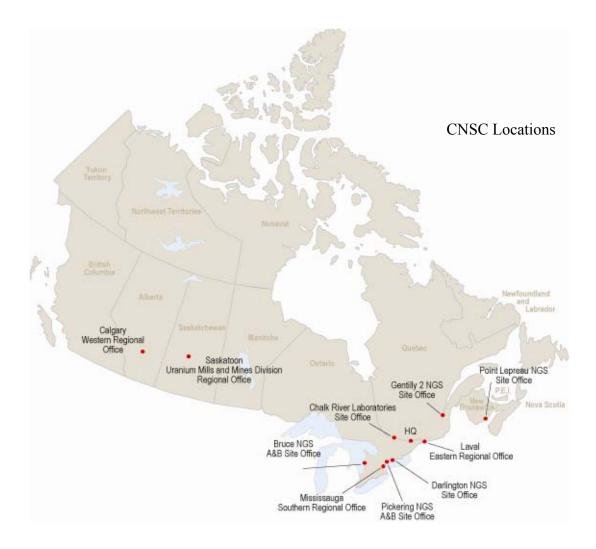
(\$ thousands)			
Vote or Statutory Item	Truncated Vote or Statutory Wording	2009-10 Main Estimates	2008-09 Main Estimates
15	Program expenditures	40,670	80,140
(S)	Expenditures pursuant to paragraph 29.1(1) of the <i>Financial Administration Act</i>	97,597	-
(S)	Contributions to employee benefit plans	4,464	10,040
	Total Agency (As displayed in the Main Estimates)*	142,731	90,180

^{*} In 2009-10 the CNSC will be entering the second phase of transition to a revenue spending authority regime that will represent the Commission's primary source of funding. This authority, pursuant to section 29.1(1) of the *Financial Administration Act*, permits the CNSC to recover and re-spend the full cost of regulatory activities performed on behalf of fee-paying licensees. In 2008-09 the CNSC received approval in Supplementary Estimates to begin phase I of the Revenue Spending Authority. Revenues for 2008-09 under this authority are estimated at \$19.6 million.

SECTION II - ANALYSIS OF PROGRAM ACTIVITIES BY STRATEGIC OUTCOME

2.1 Strategic Outcome

The Canadian Nuclear Safety Commission has a single strategic outcome: safe and secure nuclear installations and processes used solely for peaceful purposes and public confidence in the nuclear regulatory regime's effectiveness. To support this outcome, the CNSC has four program activities: regulatory framework; licensing and certification; compliance; and internal services.



The following section describes the CNSC's program activities and identifies the expected results, performance indicators and targets for each of them. This section also explains how the CNSC plans on meeting the expected results and presents the financial and non-financial resources that will be dedicated to each activity.

The program activities, their expected results, plans, performance indicators, and planned spending are presented in the following tables in this section.

There are three key priorities that cross-cut the CNSC's program activities: ensuring the health of Canadians and safety of facilities, implementing a Harmonized Plan, and facilitating the IAEA sponsored <u>Integrated Regulatory Review Service</u> (IRRS) Mission. Each of the CNSC's program activities contributes to the achievement of these key priorities. The following three priorities support the broader CNSC priority pillar of commitments and ongoing improvements.

Ensuring Health of Canadians and Safety of Facilities

Through inspections, reviews and assessments, the CNSC ensures that the nuclear power industry operates safely and that licensees make adequate provision to protect the environment and the health and safety of persons. The CNSC is also responsible for complying with the Government of Canada's December 2007 Directive to the CNSC regarding the health of Canadians. This Directive requires that, in regulating the production, possession and use of nuclear substances in order to prevent unreasonable risk to the health of persons, the CNSC takes into account the health of Canadians who, for medical purposes, depend on nuclear substances produced by nuclear reactors.

Ensuring the health of Canadians and safety of facilities is therefore critical. The following activities support the broader CNSC priority pillar of commitments and ongoing improvements:

- Achieve licensing, certification and compliance activity targets set for the period
- Streamline process to review, issue or amend Class 1A operating licences (for example, power reactors)
- Develop a process and performance measurement framework to facilitate continual evaluation of how the CNSC licensing and certification activities contribute to the safety of facilities and the health of Canadians
- Enhance process for evaluating and reporting on licensee compliance and performance
- Review existing limits to determine the acceptance or validation of the regulatory licence discharge limits
- Review and trend power reactor events, inside and outside of Canada, and investigate in Canada where appropriate
- Deploy an effective and comprehensive performance testing program for facility security threat assessment
- Implement an enhanced nuclear emergency management program
- Maintain regulatory oversight of refurbishment projects at Bruce Power's Bruce A Nuclear Generating Station (units 1 and 2) and New Brunswick Power's Point Lepreau Nuclear Generating Station

Isotope contingency planning:

- Facilitate efficient regulation of the supply of medical radioisotopes during a future supply crisis
- Review and provide advice on proposals brought forward for the production of medical isotopes including, for example, proposals by McMaster University and UBC/TRIUMF
- Monitor licence conditions for licensees to notify the CNSC of imminent radioisotope shortages
- Continue implementing the protocol for licence renewal of AECL's NRU facility

• Contribute to domestic and international initiatives regarding the supply of medical radioisotopes

Implementing the Directive on Health of Canadians:

• Incorporate documentation and processes regarding the risk to the health of Canadians into ongoing licensing and compliance operations

Harmonized Plan

The Harmonized Plan of Improvement Initiatives (Harmonized Plan) was initially developed in response to findings and recommendations stemming from the NRU incident in 2007 and the associated Talisman International LLC *Lessons Learned* report. This plan has evolved to include various internal and external audits and assessments conducted on the CNSC processes. It brings together all corporate-wide improvement initiatives under a single umbrella; sets clear deliverables; assigns accountability to ensure that all commitments are met; and helps shift the organization from expert-based regulatory oversight to process-based oversight.

The Harmonized Plan helps identify the commonalities between the different improvement initiatives which will allow for streamlining, prioritizing and allocating resources to maximum efficiency. Management Committee (MC) provides overall direction and leadership to the Harmonized Plan, which is evergreen and refreshed quarterly to ensure it aligns with corporate priorities.

Commitments associated with the Harmonized Plan include:

- Complete the implementation of the Harmonized Plan itself, including validating provisional processes for managing initiatives within the plan; and completing the integration of the Harmonized Plan with the CNSC strategic, business and activity planning processes
- Complete timely and sustainable improvements in the core licensing and compliance processes, including clarifying roles and accountabilities; providing clearer guidance and instruction through improved documentation; and improving consistency in implementation and performance. Targeted process improvements pertain to: commitment tracking, inspections, enforcement, technical assessments, environmental assessments, certification of persons and equipment, and Commission Member Documents (CMDs) preparation
- Increase the organizational capacity for, and competency in, priority setting, risk informed decision making, and project management
- Complete the <u>Integrated Regulatory Review Service</u> peer review against international standards and recognized best practices. The review is to be led by the International Atomic Energy Agency
- Continue the development and implementation of longer term infrastructure-oriented improvement initiatives including: Fee Revenue Management Improvement and the associated CNSC Planning, Management and Reporting System
- Continue ongoing improvements in the Regulatory Framework.

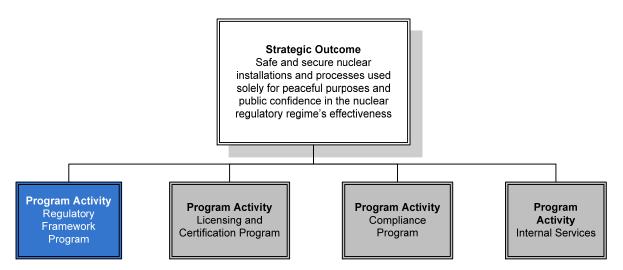
Integrated Regulatory Review Service

The <u>Integrated Regulatory Review Service</u> (IRRS) peer review is one of the services offered to member states by the International Atomic Energy Agency (IAEA). It compares, where possible, a country's regulatory practices in a country with international standards and equivalent best practices elsewhere. The IRRS peer review is conducted by a team of international experts with direct experience in the areas being evaluated. In late 2005, the CNSC volunteered to receive an IAEA mission. The CNSC has completed the necessary self-assessment and is now preparing for the peer review mission that will occur in the fiscal year 2009-10.

Commitments in support of the IRRS for this planning period include:

- ongoing preparation for the peer review and the hosting of the mission
- an initial response to the *IRRS Mission Report* highlighting the CNSC strengths and recommendations for improvements
- an approach to addressing recommendations

2.1.1 Program Activity: Regulatory Framework



Program Activity Summary

Program Activity: REGULATORY FRAMEWORK							
Human Resources (FTEs) and Planned Spending (\$ thousands)							
20	2009-10 2010-11 2011-12						
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending		
149 \$28,761 149 \$28,668 105 \$21,366*							

^{*} The CNSC's regulatory framework program is funded primarily through appropriated funds. In 2011-12 the CNSC's appropriated funding will be reduced as a result of the completion of two Treasury Board submissions. Additional resources for 2011-12 and beyond will be further considered by the Treasury Board following a policy review by Natural Resources Canada.

Expected Result:	A clear and pragmatic regulatory framework
Performance Indicators and Targets:	 Satisfaction levels of stakeholders across key performance areas Target: Increasing trend in survey results over a three-year period, stable thereafter Number of legal challenges to the regulatory framework Target: Minimal/declining number of challenges and/or high success rate of defending challenges
Description and Benefits to Canadians:	The regulatory framework program is in place to ensure that Canadians in general and licensees in particular have a clear and pragmatic regulatory framework for the nuclear industry in Canada. The CNSC's regulatory framework consists of: • Nuclear Safety and Control Act;
	• international treaties for which the CNSC is identified as Canada's competent authority, including the Agreement between the Government of Canada and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-proliferation of Nuclear Weapons and the additional protocol to that agreement, and

bilateral Nuclear cooperation agreements

- regulations under the NSCA and those in support of the safeguards agreement
- licences, with conditions as imposed by the Commission
- guidance documents that explain the CNSC's expectations with respect to meeting regulatory requirements and licence conditions

Funds are used to develop the regulatory framework, including the following key activities:

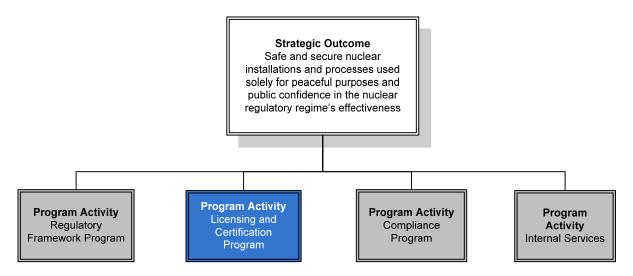
- maintaining an ongoing assessment of the <u>Nuclear Safety and Control Act</u> to ensure that it
 provides the CNSC with the regulatory and administrative authorities to carry out its
 responsibilities effectively and efficiently
- developing and amending regulations
- developing and publishing guidance documents

The CNSC also administers the <u>Nuclear Liability Act</u> and, as a responsible authority under the Canadian Environmental Assessment Act, carries out EAs for nuclear projects in accordance with this legislation.

Priorities / Key Initiatives and Description of Plans	Timeline for Completion
Clarity of our Requirements	Î
Regulatory Framework Priorities	
Aligning with government-wide regulatory reform initiatives, the CNSC will provide greater clarity for licensees, CNSC staff, the public and other interested persons by: • reviewing when and how the CNSC will exercise specific powers under legislation (primarily the NSCA); • clarifying how the CNSC interprets the NSCA and regulations • describing the principles underlying the CNSC's approach, and/or giving practical advice (for example, describing the steps of a process such as applying for a licence or giving practical examples of how regulated entities may decide to meet their	Ongoing
requirements) Streamline the current document development process to provide more flexibility and timeliness when developing both guidance and regulations. To assist this initiative, the CNSC will be examining the application of information technology solutions to facilitate stakeholder consultation and improve internal processes.	2009-11
Prioritize review of existing suite of regulations and previously published regulatory documents, to identify and fill potential gaps, to provide the Canadian nuclear industry with timely and needed guidance to address their activities in the years to come.	2009-10
An early triage of existing regulations has indicated that effort needs to be expanded in the areas of nuclear safeguards and nuclear criticality to determine the most appropriate regulatory tool to communicate the CNSC's requirements and achieve industry compliance. An examination of the issues surrounding environmental protection will establish if such regulations specific to the nuclear industry are merited.	2009-10
Execute the IRRS Mission, including its preparatory and follow-up activities.	2009-10
Initiate policy review of fee-exempt licences.	2009-12

Priorities / Key Initiatives and Description of Plans	Timeline for Completion
Undertake analysis and integrate into review of Canadian Environmental Assessment Act.	2009-10
Major Projects Management Office	
The CNSC is a participant in the Government of Canada's Major Projects Management Office (MPMO). The CNSC fully supports the MPMO's objectives and goals of improving the federal regulatory system for major natural resource projects. The CNSC will continue to work with its MPMO partners to coordinate regulatory activities related to major nuclear projects, including nuclear power plants, uranium mines and mills, and nuclear waste management facilities; share best practices; undertake and integrate policy review initiatives; and examine administrative, regulatory and legislative options to advance the principles of the MPMO.	Ongoing
Communications	
Communication/Consultation	
Consult with Aboriginal communities (First Nations, Métis, Inuit) regarding the potential impacts of nuclear projects, including nuclear power plants, uranium mines and mills and nuclear waste management facilities, on their Aboriginal rights or title (the duty to consult can be triggered by a variety of CNSC regulatory matters).	2009-11
Make guidance documents, application forms, and instructions more readily accessible to licensees and other interested persons.	Ongoing
Continue to engage international partners and participate in international fora such as the IAEA and the Nuclear Energy Agency to develop and update international standards and best practices.	Ongoing
Lead Canada's delegation to the <u>Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management</u> in 2009.	May 2009
Continue to develop bilateral agreements with international partners to share experiences and lessons-learned on design reviews of nuclear power reactor technologies. Canada is a member of the Multinational Design Evaluation Programme (MDEP) which, with the aim of harmonizing regulatory regimes, was established to share resources and knowledge of national nuclear regulatory authorities based on their assessments of new reactor designs. As such, the CNSC will be well-positioned to collaborate with and draw on the experiences of its colleague regulators as it faces the prospect of regulating a nuclear industry that may begin using a variety of new technologies.	Ongoing

2.1.2 Program Activity: Licensing and Certification



Program Activity Summary

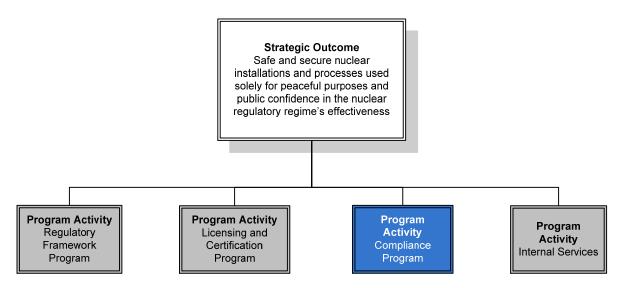
Program Activity: LICENSING AND CERTIFICATION					
	Human Resource	es (FTEs) an	d Planned Spending (\$	thousands)	
2	009-10		2010-11	2	2011-12
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
202	\$31,272	207	\$32,010	200	\$31,912
Expected Result:	Individuals and organiz proliferation requireme		perate safely and confo	rm to safeguard	s and non-
Performance Indicators and Targets:	Number of licences and certificates issued as per service standards Target: Meet external performance service standards				
Description and Benefits to Canadians:	The licensing and certification program is in place to issue licences and certify prescribed equipment and certify persons or organizations to conduct nuclear-related activities in Canada. With this program activity's funding, the CNSC obtains evidence of the applicant or licensee's ability to operate safely and conform to nuclear safeguards and non-proliferation requirements.				
	The CNSC undertakes conducted with adequatenvironment, and to ful	te provision to	o protect health, safety	, and security of	f persons and the

Priorities / Key Initiatives and Description of Plans	Timeline for Completion
Clarity of our Requirements	Completion
New Build – Execution of Initial Phase	
In addition to the significant licensing workload pertaining to existing facilities, the following new build licence applications are of particular note and focus during the reporting period.	
Bruce Power's <u>Bruce C Nuclear Power Plant</u> in Tiverton (Municipality of Kincardine), ON	
The project is for the site preparation, construction, operation, decommissioning and abandonment of up to four new nuclear units at the existing Bruce Power site to generate up to 4,000 megawatts of electricity to the Ontario grid.	
Milestones for the planning period include:	
Review of Environmental Impact Statement (EIS) and complete application for Licence to Prepare Site, including public review	May 2009
Joint Review Panel (JRP) submits Report to Federal Government	January 2010
Ontario Power Generation's <u>Deep Geologic Repository</u> in Tiverton (Municipality of Kincardine), ON	
The project is for the site preparation, construction and operation of a Deep Geologic Repository (DGR) for the proposed disposal of low- and intermediate-level radioactive wastes at the Bruce Site in Tiverton. The DGR will also hold waste produced from the continued operation of existing Bruce, Pickering and Darlington nuclear generating stations.	Ongoing
Milestones for the planning period include:	
EIS guidelines and JRP Agreement published	2009
Ontario Power Generation's <u>Darlington B Nuclear Power Plant</u> in Bowmanville, Municipality of Clarington, ON	
The project is for the site preparation, construction, operation, decommissioning and abandonment of up to four new nuclear units at the existing Darlington Site to generate up to 4,800 megawatts of electricity to the Ontario grid.	Ongoing
Milestones for the planning period include:	
Appointment of JRP	May 2009
Review of EIS including public review	December 2009
Notice of public hearing	January 2010
Bruce Power's Erie/Nanticoke Nuclear Power Plant in Nanticoke (Haldimand County), ON	
The project is for the site preparation, construction, operation, decommissioning and abandonment of up to two new nuclear reactors at the Lake Erie Industrial Park, in Nanticoke to generate approximately 2,200 to 3,200 megawatts of electricity to the Ontario grid. The proposed site is located on the north shore of Lake Erie, in the	

Priorities / Key Initiatives and Description of Plans	Timeline for Completion
Haldimand-Norfolk region of southern Ontario.	•
Milestones for the planning period include:	
Draft EIS guidelines and JRP agreement published for comments	March 2009
Final EIS guidelines and JRP agreement published	August 2009
Appointment of JRP	September 2009
Notice of review period on EIS and complete application for licence to prepare site	October 2009
Review of EIS and complete application for licence to prepare site, including public review	October 2009 to April 2010
In addition, the CNSC will undertake preparatory work for potential projects for Bruce Power in Alberta and Saskatchewan and for any new projects in New Brunswick.	Ongoing
In addition to the above mentioned new builds, the CNSC will:	
Complete pre-project design review of AECL's Advanced CANDU Reactor ACR-1000. The CNSC will issue:	2009-10
Fundamental barriers from a design point view to licensing the reactor in Canada	
Continue negotiations with Areva and Westinghouse regarding pre-project design reviews for the AREVA EPR and Westinghouse AP-1000 plants respectively.	2009-10
Issue guidelines for New Nuclear Power Plant Licence Applications (site preparation, construction and operation).	2009-10
Ensure assessment plans are developed and published for all current projects undergoing EA and licensing reviews for licence to prepare sites; develop and publish staff review guides for staff reviews of applications for licences to construct; develop and publish assessment plans for all current projects expected to submit applications for licences to construct this fiscal year.	Ongoing
Conclude, as part of the Port Hope Area Initiative, the licensing process for the Long-Term Port Hope Waste Management Facility and the EA for the Long-Term Port Granby Waste Management Facility.	2009-10
Conduct EAs to respond to licence applications for new mines, new reactor construction, refineries, waste repositories and Chalk River Laboratories legacy projects.	2009-10
Clarify EA regime for uranium mining projects in Nunavut, Labrador and Northern Quebec.	2009-10
Develop an improved certification process for exposure device operators.	2009-10
Develop appropriate financial guarantees framework for all regulated activities and facilities.	2009-10

Priorities / Key Initiatives and Description of Plans	Timeline for Completion
NRU Licence Renewal	
Continue implementing the protocol for the licence renewal of AECL's NRU facility. The objective of this protocol is to provide a framework within which AECL and CNSC staff will prepare the necessary information for the Commission to assess the continued operation of the NRU reactor beyond the current licence period which expires in 2011.	Ongoing
Milestones for the planning period include:	
As part of the NRU re-licensing process, the CNSC and AECL have agreed to implement an Integrated Safety Review (ISR), which is a comprehensive assessment of plant design, condition, and operation. The ISR will help provide clarity to AECL, the government and all Canadians on the extent, timelines and costs necessary to continue operating the NRU past October 31, 2011.	2009-11
 EA guidelines for re-licensing to the Commission Environmental statement report CNSC decision on EA approval 	June 2009 January 2010 November 2010
Clarify approach to safety analysis for non-nuclear power plants; for example, the NRU.	2009-10
Develop and implement an EA protocol for the NRU licence renewal in 2011.	Ongoing
Communications	
Implement a protocol for communication and problem resolution with the regulated community across all regulated facilities and activities.	2009-10
Develop a communications plan for all new major projects.	2009-10

2.1.3 Program Activity: Compliance



Program Activity Summary

Program Activity: COMPLIANCE						
	Human Resources (FTEs) and Planned Spending (\$ thousands)					
20	009-10		2010-11	20)11-12	
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending	
255	\$40,605	263	\$41,540	254	\$41,391	
Expected Result:	A high level of compli	ance by license	es with the regulatory fi	ramework		
Performance Indicators and Targets:	 Frequency and severity rate of accidents Target: Targets set on an annual work planning basis Number of events above zero on the International Nuclear Event Scale (INES) Target: Zero events Degree/level of reconciliation between Canada and other countries with nuclear inventories subject to bilateral Nuclear Cooperation Agreements (NCAs) Target: Targets set on an annual work planning basis as per Report on Plans and Priorities Adherence with Sealed Source Tracking requirements Target: All on time: 100% match with registry Nuclear material "ledger" reconciliations between the CNSC and licensees Target: Identical inventory records on reconciliation of nuclear material 					
Description and Benefits to Canadians:	The compliance progra compliance with the C regulatory assurance to licensees. This program activity's	nm is in place to NSC's regulator Canadians of t s funding is use	ensure that CNSC lice ry framework. This pro he continuing complian d for the promotion of c dits, inspections, and er	nsees exhibit a hi gram enables the ace and safety per compliance, safet	gh level of CNSC to provide formance of y culture and	

Priorities / Key Initiatives and Description of Plans	Timeline for Completion			
Clarity of our Requirements				
Compliance Framework				
Implement a new approach for mid-term status reports wherein certain licensees will have a greater role in reporting information, to be complemented by CNSC staff who will report on compliance and inspection findings.	Ongoing			
Develop strategies to promote/enforce compliance where licensee deficiencies have been identified and respond to risk significant licensee reports and findings.	2009			
Revise approach with carriers with respect to radiation protection program (linked to <i>Packaging and Transport of Nuclear Substances Regulations</i> amendments).	2009			
Improve the process and documentation for Type I and II Inspections (for example, checklists, inspection reports).	Ongoing			
Implement enhanced radiography strategy to regulate the radiography industry.	Ongoing			
Develop an inspection/monitoring approach for new major facilities.	2009-10			
Coordinate and develop compliance programs for licenses for new mines and licences for new nuclear power plants.	2010-11			
Communications				
Communication with our Licensees				
Develop an online system for receiving compliance reports from licensees.	2009-10			
Develop and implement a program for risk-informed event oversight and follow-up for unplanned events and incidents that are reported. This oversight program will include events and incidents reported via licensees as well as non-licensees. The objective is to ensure that all unplanned events and incidents reported are responded to and followed up uniformly and consistently.	2009-10			

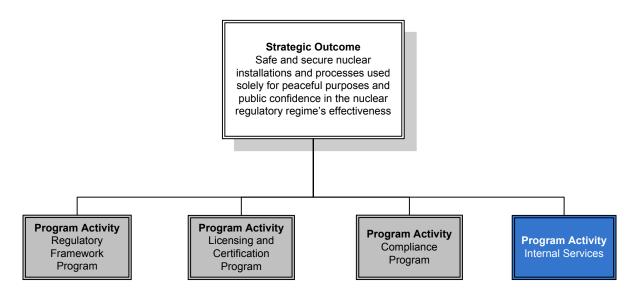
Our Daily Activities

The majority of the CNSC's work involves undertaking licensing and compliance activities in a risk-informed fashion to ensure that licensees meet regulatory requirements set out in their licences. This requires maintaining an adequate level of regulatory vigilance, and being prepared to react based on credible information received.

Much of the compliance work is in the form of inspections of varying types. A Type I inspection is a systematic and documented process to determine, through objective evidence, whether a licensee program, process or practice complies with regulatory requirements; these inspections are similar to an audit or program evaluation. Type II inspections are planned and documented activities to verify the results of licensee processes and not the processes themselves. They are typically routine (item-by-item) inspections and rounds, usually of specified equipment, facility material systems, or of discrete records, products or outputs from licensee processes. A Desktop Review is the CNSC staff analysis of compliance reports submitted by licensees to evaluate if the licensee is complying with the requirements of the regulatory framework.

Typically, in a fiscal year, the CNSC will undertake approximately 100 Type I inspections, 1500 Type II inspections and countless desktop reviews.

2.1.4 Program Activity: Internal Services



Program Activity Summary

Program Activity: INTERNAL SERVICES					
	Human Reso	ources (FTEs)	and Planned Spending (S	thousands)	
20	09-10		2010-11	2	011-12
FTEs	Planned Spending	FTEs	Planned Spending	FTEs	Planned Spending
234	\$42,093	241	\$42,764	216	\$39,802
Description:	S42,093 241 S42,764 216 S39,802 Internal services are activities and resources to enable and support program delivery and meet other corporate obligations of the Commission as an agency of government. These activities are: Management and Oversight (Audits, Evaluations and Ethics); Communications; Legal Services; Human Resources Management; Financial Management; Information Management; Information Technology; Real Property and Materiel Acquisition; Travel and Other Administrative Services. Internal Services include only those activities and resources that apply across the organization and not to those provided specifically to a given program.				

Priorities / Key Initiatives and Description of Plans	Timeline for Completion
Capacity for Action	
Revenue Spending	
Streamline and simplify the current business processes and coding practices and increase investments in financial systems infrastructure to support planning, tracking, cost recovery billing and revenue management to ensure effective transition to the full RSA funding regime.	2009-11

Priorities / Key Initiatives and Description of Plans	Timeline for Completion
CNSC Renewal	
The CNSC will continue to support the Public Service renewal initiatives, with focus on	
improved planning, targeted recruitment, employee training/development and specific	
 infrastructure and policy improvements. In 2009-10, the CNSC will emphasize performance management; employee development; assess feedback and issues raised in the Public Service Employee Survey; and continue to 	2009-10
 ensure that the CNSC solidifies its objectives as an "employer of choice". The CNSC will implement a consistent inspection training program as a key priority in the 	2009-10
 Harmonized Plan. The CNSC will finalize its management training program (management fundamentals) and make the program mandatory for all managers. This program provides managers with training in key management areas, such as finance, human resources, planning, etc. 	2009-10
Information Management/Infrastructure	
A number of investments in information management and information technology (IM/IT) are being made in order to support the CNSC's goals to be more efficient, strengthen regulatory commitment tracking activities and improve communications. These goals necessitate a robust electronic information management framework that will ensure the continued good management of our information assets.	
Specifically, IM/IT investments will support the following business drivers:	
 Expand regulatory commitment tracking system to other program areas Facilitate stakeholder consultation and improve internal consultations Develop a system for receiving and processing secure online licensing and compliance transactions Improve the planning and reporting of financial information Improve external and internal communication and collaboration tools supporting our stakeholders and employees 	
Robust business continuity capability	
These investments include:	
 installation of a suite of hardware and software tools that will support the phased development of highly interactive intranet and internet site services (Web 2.0) supporting online collaboration, communication and electronic filing services with our stakeholders 	2009-10
 a scalable and robust financial planning and reporting tool allowing the CNSC to execute its Revenue Spending Authority (RSA). 	2009
 a framework of guidance and policy documents to support electronic filing activities for licensees, as well as ensuring effective management of information assets 	2009-10
 implementation of an alternate site that will support critical information systems improvements to infrastructure security in order to ensure an effective balance between enhanced electronic information exchange and accessibility; while ensuring continued safeguarding of information assets 	2009-10 2009
The CNSC will continue in 2009-10 to relocate staff to a second location to accommodate growth and will initiate the process of renewing its office leases in the National Capital Region.	2009-13

Priorities / Key Initiatives and Description of Plans					
Service Improvements					
The CNSC will review and institute specific internal service improvements to enhance delivery to program managers. Improve access and content of Web-based corporate polices/procedures and institute appropriate service standards for these services.	2009-12				
Another key initiative will be to implement, by April 1, 2009, of a new Audit Committee that will comprise two internal and three external members. This will bring increased accountability and is in line with the Office of the Comptroller General guidelines.	2009				
Communications					
Increased Awareness					
Plan and implement the next phase of the CNSC's external Web site restructuring to include more business functionality.	2009				

SECTION III - SUPPLEMENTARY INFORMATION

3.1 Financial Highlights

Resources by Program Activity

	2009-10										
	Budgetary (\$ thousands)						Non- Budgetary		Adjustments	Total	
	Operating	Capital	Grants	Contributions and Other Transfer Payments	Gross Budgetary Expenditures	Less: Respendable Revenue	Net Budgetary Expenditures	Loans Investments and Advances	Total Main Estimates	(Planned Spending in Main Estimates)	Planned Spending
_	Strategic Outcome: Safe and secure nuclear installations and processes solely for peaceful purposes; and public confidence in the nuclear regulatory regime's										
effectiveness.									1		
Program Activity: Regulatory Framework Program	27,916	-	75	770	28,761	3,840	24,921	-	24,921	3,840	28,761
Program Activity: Licensing & Certification Program	31,272	-	-	-	31,272	28,009	3,263	-	3,263	28,009	31,272
Program Activity: Compliance Program	40,605		-	-	40,605	36,475	4,130	-	4,130	36,475	40,605
Program Activity: Internal Services	42,093	-	-	-	42,093	29,273	12,820	-	12,820	29,273	42,093
Total	141,886	-	75	770	142,731	97,597	45,134		45,134	97,597	142,731

3.2 List of Tables

Additional Tables

The following tables can be found electronically on the Treasury Board Secretariat's Web site (http://www.tbs-sct.gc.ca/estsd-bddc/index-eng.asp):

- Sources of Respendable and Non-Respendable Revenue
- Internal Audits
- Evaluations

3.3 Other Items of Interest

- <u>Talisman Report</u>
- Nuclear Power Industry Safety Performance Reports and Report Cards
- External Performance Standards (published in the following CNSC reports):
 - o Annual Reports
 - o Departmental Performance Reports
- Management Accountability Framework TBS Assessment and the CNSC management response
- Integrated Regulatory Review Service (IRRS)
- Services Received Without Charge
- The CNSC's Regulatory Plan
- The CNSC's Plan for Transfer Payment Program (TPP)