



ATI Annual Report

Report on the Access to
Information Act 2010-2011

**AECL's Access to
Information and Privacy
Office**

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1. INTRODUCTION

Atomic Energy of Canada Limited (AECL) is an agent Crown corporation that provides full service nuclear technology to nuclear utilities around the world on a commercial basis while meeting strategic science and innovation policy objectives for Canada. Established in 1952, AECL is the designer and builder of Canadian-made CANDU[®] technology, including the Generation III⁺ Advanced CANDU Reactor[®], the CANDU 6, one of the world's top-performing reactors, and the Enhanced CANDU 6[®].

AECL's mandate is to be Canada's nuclear platform for nuclear science and technological expertise; and to operate a commercially viable, self-sustaining business designing, building and servicing CANDU nuclear power reactors.

On September 1st, 2007 the *Federal Accountability Act* amended the *Access to Information Act* (ATIA) to include AECL. The purpose of this Act is to provide Canadian citizens a right of access to information in records under the control of AECL relating to its general administration or its operation of any nuclear facility that is subject to regulation by the Canadian Nuclear Safety Commission.

Section 72 of the *Access to Information Act* stipulates that, at the end of each fiscal year, the head of every government institution shall prepare for submission to Parliament an annual report on the administration of this Act within the institution.

This annual report provides a summary of the management and activities related to the implementation of the ATIA within AECL for the fiscal year 2010-2011.

1.1 2010- 2011 Access to Information Highlights

- Atomic Energy of Canada Limited (AECL) received 81 requests for information under the *Access to Information Act* (ATIA) and 20 informal requests. Out of the 81 received requests, 80 were new requests and 1 was outstanding from the previous period. A total of 80 requests were completed and 1 request was carried forward to the next fiscal year.
- Of these 80 new requests received, 7.5 percent originated from the business community, 6.25 percent originated from the media, 82.5 percent originated from the public, 3.75 percent originated from an organization and none originated from the academia.
- Of the 80 requests completed, records were disclosed in full in 10 percent of the cases and disclosed in part in 76.25 percent of the cases. 12.5 percent of applications for information were abandoned by the applicant. No requests were exempted or excluded in full and 1.25 percent was transferred to another federal organization. A total of 7,962 pages were processed formally and an additional 1,832 pages were reviewed informally.

- AECL received 28 new requests for consultations from other organizations subject to the *ATIA* and none were outstanding from previous year. Of these consultations, 28 were closed and none were carried forward to the next fiscal year. A total of 2,017 pages were consulted.
- Nine information sessions on the *ATIA* were given to two new AECL executives and hundreds of senior managers and employees of different units.
- The website www.nrucanada.ca is still active to provide proactive disclosure on the latest information and repairs to the National Research Universal (NRU).
- A new webpage was launched under the Port Hope Area Initiative www.phai.ca/en/ATIP providing the public guidance in accessing radiological property information.

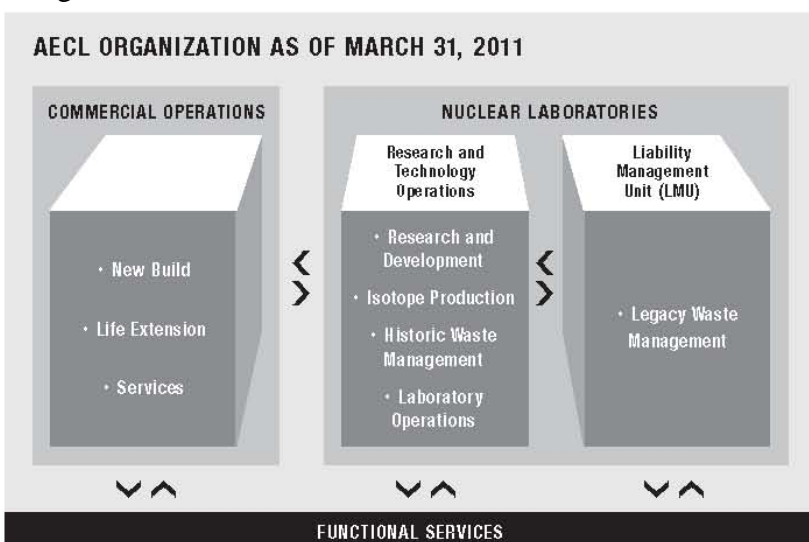
2. ORGANIZATION OF ACTIVITIES

2.1 AECL Organizational Structure

AECL reports to Parliament through the Minister of Natural Resources Canada. Management organizes its business activities through two distinct business entities: Commercial Operations and Nuclear Laboratories. Each entity is responsible for achieving its business goals.

Commercial Operations, based in Mississauga, Ontario, employs approximately 1,800 people and operates on a commercial basis providing nuclear products and related services. It generates value for nuclear utilities worldwide through its three core business lines: New Build, Life Extension and Services.

Nuclear Laboratories employs more than 3,000 people and is principally centred at Chalk River Laboratories, Canada's largest federal laboratory. Almost 400 of those staff members are employed in other locations, including the Whiteshell Laboratories in Manitoba. Nuclear Laboratories' value is expressed in national terms, which is characteristic of national laboratories worldwide. An ongoing investment of federal funds results in a healthy nuclear sector in Canada that contributes to jobs, economic activity and quality of life for the country. Activities within Nuclear Laboratories are aligned with the federal Science & Technology strategy, *Mobilizing Science*



and Technology to Canada's Advantage. Nuclear Laboratories maintains facilities and research and development capabilities that are leveraged to benefit Canada and the nuclear industry. These benefits include isotope production capabilities; research themes that are focused on maintaining and improving safety; and nuclear-related products and services. The Nuclear Laboratories reports its financial performance under Research and Technology Operations and the Liability Management Unit.

The **Functional Services Group** (previously known as Corporate Services and where you will find the Access to Information Office), has traditionally supported these two entities.

Reporting to the Legal Counsel Department, the Access to Information Office is located in Ottawa, Ontario and consists of three employees including one Director, one Senior Analyst and one Analyst.

Cooperation and collaboration with many sectors of the economy is ongoing throughout the planning, implementation and delivery of AECL products and services. Consequently, AECL receives a great deal of information from all levels of government, from partners and competitors, utilities, and the general public either in response to legislative requirements or on a voluntary basis.

Examples of the nature of information requested by applicants during this reporting period are as follows: National Research Universal Reactor (NRU), Employee Training, Chalk River Laboratories administration, AECL restructuring, insurance and risk management, radiological property information, Property Value Protection Program, Procurement and communications with other government departments.

3. ACCOUNTABILITY AND DELEGATION

3.1 Accountability of the Access to Information and Privacy Office

AECL's Access to Information and Privacy (ATIP) Director remains accountable for the development, coordination and implementation of effective policies, guidelines, systems and procedures that enable the efficient processing of requests under both the *Access to Information* and *Privacy Acts*. The Director is also responsible for related policies, systems and procedures resulting from the *Acts*, such as privacy protection and the collection and inventory and security of personal information banks. The Director acts as the point of contact for the Corporation in dealings with the ATIP Directorate at Treasury Board Secretariat and colleagues in ATIP at government departments and agencies.

The ATIP Office is responsible for integrating procedures and services for the efficient administration of the *Access to Information* and *Privacy* legislation. In addition to the processing of formal and informal requests, consultations and complaints, the ATIP Office also provides advice and assistance to line operations on all aspects of the legislation, as well as preparing statistical and status reports for senior management.

All formal requests for information under the *Access to Information Act* are forwarded to the ATIP Office where they are reviewed for clarity and conformity with the legislation.

Information retrieval is facilitated electronically and the office of the primary interest (OPI) and the ATIP Director work together to formulate recommendations on the disposition of the case. These recommendations are justified by the Director to the Senior Management Team.

The ATIP Office is responsible for processing formal requests made under the *Access to Information Act*. ATIPO maintains a good rapport with members of the public, media and business community who see information, and is recognized by both applicants and the offices of primary interest (OPI) as a helpful group of informed officers.

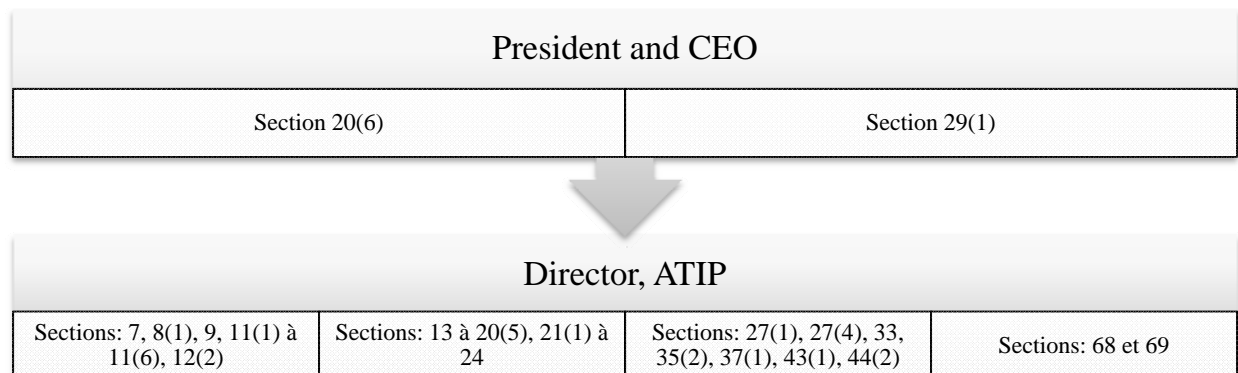
The ATIP Office encourages potential applicants to discuss their requests informally with the (OPI) prior to filing a formal request. Often this provides for a satisfactory response in less time. OPI also respond to numerous informal requests for information. Advice is provided as required by the ATIP Office to OPI managers if there is any doubt that the information can be released on an informal basis.

In addition, there are numerous requests for assistance directed to the ATIP Office from members of the public who do not know whom to contact to obtain brochures or other information available to the public. ATIPO also provides advice and recommendations to organizational managers and committees.

3.2 Delegation of Authority

AECL's information management policies and systems are based on the concept that information is a resource with associated costs. Its management must not only achieve operational goals but also ensure compliance with all legal and policy requirements. The decision-making authority for disclosure or non-disclosure under the *Access to Information Act* and the collection, use, protection, retention and disposal of information is delegated to the ATIP Director.

3.2.1 Sections of the *Access to Information Act* Authority



3.2.2 Access to Information Act Designation Order



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ACCESS TO INFORMATION ACT DESIGNATION ORDER	ARRETÉ SUR LA DÉLÉGATION EN VERTU DE LA LOI SUR L'ACCÈS À L'INFORMATION
The President and CEO of Atomic Energy of Canada Limited pursuant to section 73 of the <i>Access to Information Act</i> , hereby designates the person holding the position set out in the schedule hereto to exercise the powers and perform the duties and functions of the President and CEO of AECL as the head of a government institution under the paragraph of the Act set out in the schedule opposite each position.	En vertu de l'article 73 de la <i>Loi sur l'accès à l'information</i> , le Président-directeur général de Énergie atomique du Canada limitée délègue au titulaire du poste mentionné à l'annexe ci-après les attributions dont il est, en qualité de responsable d'une institution fédérale, investi par les alinéas de Loi mentionnés dans la liste en regard de chaque poste.

		ATIP Director Directeur AIPRP
7	Notify requestor whether or not access is to be given and where appropriate, give access Aviser le requérant si le document sera communiqué ou non et le cas échéant, communiquer	F
8(1)	Transfer request to institution with greater interest Transmettre la demande à l'institution davantage concernée	F
9(1)	Extend time limits Proroger le délai	F
9(2)	Notify Information Commissioner of extension over 30 days Inform le Commissaire à l'information si la prorogation est de plus de trente jours	F
11(1)(a)	Assess fees - application Déterminer les frais de communication	F
11(1)(b)	Assess fees - application Déterminer les frais de reproduction	F
11(2)	Assess fees - search time over 5 hours Déterminer les frais de communication - plus de 5 heures de recherche	F
11(3)	Assess fees - machine readable records Déterminer les frais de communication - document informatisé	F
11(4)	Request deposit Demander un versement initial	F
11(5)	Notify request of assessment of additional fees Aviser le requérant de la détermination de frais additionnels	F
11(6)	Waive or refund of fees Accorder une dispense ou un remboursement des frais	F
12(2)(b)	Translate records Traduire des documents	F



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		ATIP Director Directeur AIPRP
12(3)	Access to record in alternative format Communication sur support de substitution	F
13(1)	Apply exemption - information obtained in confidence from other governments Appliquer l'exception - renseignements obtenus à titre confidentiel	F
13(2)	Approve disclosure of information obtained in confidence Approuver la communication des renseignements obtenus à titre confidentiel	F
14	Apply exemption - federal-provincial affairs Appliquer l'exception - affaires fédérales-provinciales	F
15(1)	Apply exemption - international affairs and defence Appliquer l'exception - affaires internationales et défenses	F
16(1)	Apply exemption - law enforcement and investigations Appliquer l'exception - respect des lois et enquêtes	F
16(2)	Apply exemption - security Appliquer l'exception - sécurité	F
16(3)	Apply exemption - policing services for provinces or municipalities Appliquer l'exception - fonctions de police provinciale ou municipale	F
16(5)	Public Servant disclosure protection Protection des fonctionnaires divulgateurs d'actes répréhensibles	F
17	Apply exemption - safety of individuals Appliquer l'exception - sécurité des individus	F
18	Apply exemption - economic interests of Canada Appliquer l'exception - intérêts économiques du Canada	F
19(1)	Apply exemption - personal information Appliquer l'exception - renseignements personnels	F
19(2)(a)	Approve disclosure of personal information where individual consents Approuver la communication des renseignements personnels lorsque l'individu concerné y consent	F
19(2)(b)	Approve disclosure of personal information where publicly available Approuver la communication des renseignements personnels dans le cas où le public y a déjà accès	See note*
19(2)(c)	Approve disclosure of personal information in accordance with Section 8 of the Privacy Act (see Delegation of Authority under Privacy Act) Approuver la communication des renseignements personnels dans le cas où la communication est conforme à l'article 8 de la Loi sur la protection des renseignements personnels (Voir Délégation des pouvoirs en vertu de la Loi sur la protection des renseignements personnels)	F
20(1)	Apply exemption - third party information Appliquer l'exception - renseignements de tiers	F



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		ATIP Director Directeur AIPRP
20(2)	Approve disclosure of products or environmental testing information Approuver la communication des renseignements relatif aux essais de produits ou essais d'environnement	F
20(3)	Approve disclosure of information on methods used in testing Approuver la communication des renseignements relatifs aux méthodes utilisés pour les essais	F
20(5)	Approve disclosure of information where third party consents Approuver la communication des renseignements dans le cas où le tiers y consent	F
20(6)	Approve disclosure of information in public interest Approuver la communication des renseignements pour des raisons d'intérêt public	See note*
21(1)	Apply exemption - advice and recommendations Appliquer l'exception - avis et recommandations	F
22	Apply exemption - testing procedures, tests and audits Appliquer l'exception - examens et vérifications	F
23	Apply exemption - solicitor-client privilege Appliquer l'exception - secret professionnel des avocats	F
24(1)	Apply exemption - statutory prohibitions Appliquer l'exception - interdictions fondées sur d'autres lois	F
25	Refuse access to a record or part thereof Refuser la communication du document ou d'en communiquer les parties dépourvues	F
26	Refuse access where information is to be published Refuser la communication en cas de publication	F
27(1)	Notify third parties of intent to disclose information Aviser les tiers de l'intention de divulguer des renseignements	F
27(4)	Extend time limit for third parties Prorogation du délai accordé à un tiers	F
28(1)(b)	Decide to disclosure information after third party recommendation Décider de communiquer des renseignements suite aux observations d'un tiers	F
28(2)	Waive requirement that third party representation be in writing Dispenser un tiers de présenter des observations par écrit	F
28(4)	Approve disclosure of information where no third party review requested Approuver la communication des renseignements lorsque le tiers n'exerce pas de recours en révision	F
29(1)	Notify all parties of disclosure on recommendation of Information Commissioner Aviser les personnes en cause de la communication sur recommandation du Commissaire à l'information	F



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		ATIP Director Directeur AIPRP
35(2)(b)	Make representations to Information Commissioner Présenter des observations au Commissaire à l'information	F
37(1)(b)	Notify Information Commissioner of institution's intent regarding recommendations Aviser le Commissaire à l'information de toute mesure prise ou envisagée par l'institution pour la mise en oeuvre de ses recommandations	F
37(4)	Approve access pursuant to an investigation Approuver la communication des renseignements suivant la tenue d'une enquête	F
43(1)	Notify third parties of application for review by Court Aviser les tiers d'un recours en révision par la cour	F
44(2)	Notify requestor of application for review by Court Aviser le requérant d'un recours en révision par la cour	F
68.2	Apply exclusion - information under the control of AECL Appliquer l'exclusion - renseignements qui relèvent d'EACL	F
68, 69	Notify individual that requested record is excluded Aviser l'individu que le document demandé est exclu	F

President & CEO of Atomic Energy of Canada Limited
Président-directeur général, Énergie atomique du Canada limitée


02/20/08

Date

Notes:	Notes :
"F" Full authority to the ATIP Director	"F" Plein pouvoir au Directeur de l'AIPRP
* Full authority remains with the President & CEO of AECL	* Plein pouvoir demeure avec le Président-directeur général d'EACL

4. 2010-2011 STATISTICAL REPORT

4.1 Report on the Access to Information Act

 Government of Canada / Gouvernement du Canada		REPORT ON THE ACCESS TO INFORMATION ACT / RAPPORT CONCERNANT LA LOI SUR L'ACCÈS À L'INFORMATION			
Institution Atomic Energy of Canada Limited / Énergie atomique du Canada limitée		Reporting Period / Période visée par le rapport 2010-04-01 to/à 2011-03-31			
Source Media / Médias 5	Academia / Secteur universitaire 0	Business / Secteur commercial 6	Organization / Organisme 3	Public 66	

I Requests under the Access to Information Act / Demandes en vertu de la Loi sur l'accès à l'information		II Disposition of requests completed / Disposition à l'égard des demandes traitées	
Received during reporting period / Reçues pendant la période visée par le rapport	80	1. All Disclosed / Communication totale	8
Outstanding from previous period / En suspens depuis la période antérieure	1	2. Disclosed in part / Communication partielle	61
TOTAL	81	3. Nothing disclosed (excluded) / Aucune communication (exclusion)	0
Completed during reporting period / Traitées pendant la période visée par le rapport	80	4. Nothing disclosed (exempt) / Aucune communication (exemption)	0
Carried Forward / Reportées	1	5. Transferred / Transmission	1
		6. Unable to process / Traitement impossible	0
		7. Abandoned by applicant / Abandon de la demande	10
		8. Treated informally / Traitement non officiel	0
		TOTAL	80

III Exemptions invoked / Exemptions invoquées			
S. Art. 13(1)(a)	0	S. Art. 16(1)(a)	0
(b)	0	(b)	0
(c)	0	(c)	1
(d)	0	(d)	1
S. Art. 14	0	S. Art. 19(1)	59
S. Art. 15(1) International rel. / Relations Intern.	0	S. Art. 20(1)(a)	0
Defence / Défense	0	S. Art. 22	0
Subversive activities / Activités subversives	0	S. Art. 23	0
		S. Art. 24	0
		S. Art. 26	0

IV Exclusions cited / Exclusions citées			
S. Art. 68(a)	0	S. Art. 69(1)(c)	0
(b)	0	(d)	0
(c)	0	(e)	0
S. Art. 69(1)(a)	0	(f)	0
(b)	0	(g)	0

V Completion time / Délai de traitement	
30 days or under / 30 jours ou moins	79
31 to 60 days / De 31 à 60 jours	1
61 to 120 days / De 61 à 120 jours	0
121 days or over / 121 jours et plus	0

VI Extensions / Prorogations des délais		
	30 days or under / 30 jours ou moins	31 days or over / 31 jours ou plus
Searching / Recherche	0	0
Consultation	0	0
Third party / Tiers	0	0
TOTAL	0	0

VII Translations / Traduction		
Translations requested / Traductions demandées	3	
Translations prepared / Traductions préparées	3	
English to French / De l'anglais au français	0	
French to English / Du français à l'anglais	0	

VIII Method of access / Méthode de consultation	
Copies given / Copies de l'original	69
Examination / Examen de l'original	0
Copies and examination / Copies et examen	0

IX Fees / Frais			
Net fees collected / Frais net perçus			
Application fees / Frais de la demande	\$30.00	Preparation / Préparation	\$0.00
Reproduction	\$0.00	Computer processing / Traitement informatique	\$0.00
Searching / Recherche	\$0.00	TOTAL	\$30.00
Fees waived / Dispense de frais		No. of times / Nombre de fois	
\$25.00 or under / 25 \$ ou moins	66		\$386.60
Over \$25.00 / De plus de 25 \$	6		\$667.80

X Costs / Coûts	
Financial (all reasons) / Financiers (raisons)	(\$ 000)
Salary / Traitement	171750
Administration (O and M) / Administration (fonctionnement et maintien)	10298
TOTAL	182048
Person year utilization (all reasons) / Années-personnes utilisées (raisons)	
Person year (decimal format) / Années-personnes (nombre décimal)	1.50

4.1.1 Additional Reporting

APPENDIX B - 1 AECL ATI STATISTICAL REPORT 2010-2011

Part III – Exemptions invoked

Paragraph 13(1)(e) - None
Subsection 16.1(1)(a) - None
Subsection 16.1(1)(b) - None
Subsection 16.1(1)(c) - None
Subsection 16.1(1)(d) - None
Subsection 16.2(1) - None
Subsection 16.3 - None
Subsection 16.4(1)(a) - None
Subsection 16.4(1)(b) - None
Subsection 16.5 - None
Subsection 18.1(1)(a) - None
Subsection 18.1(1)(b) - None
Subsection 18.1(1)(c) - None
Subsection 18.1(1)(d) - None
Subsection 20(1)(b.1) - None
Subsection 20.1 - None
Subsection 20.2 - None
Subsection 20.4 - None
Subsection 22.1(1) - None

Atomic Energy of Canada Limited did not invoke any exemptions noted above during the reporting period 2010-2011.

Part IV – Exclusions cited

Subsection 68.1 - None
Subsection 68.2(a) - None
Subsection 68.2(b) - None
Subsection 69.1(1) - None

Atomic Energy of Canada Limited did not cite any exclusions noted above during the reporting period 2010-2011.

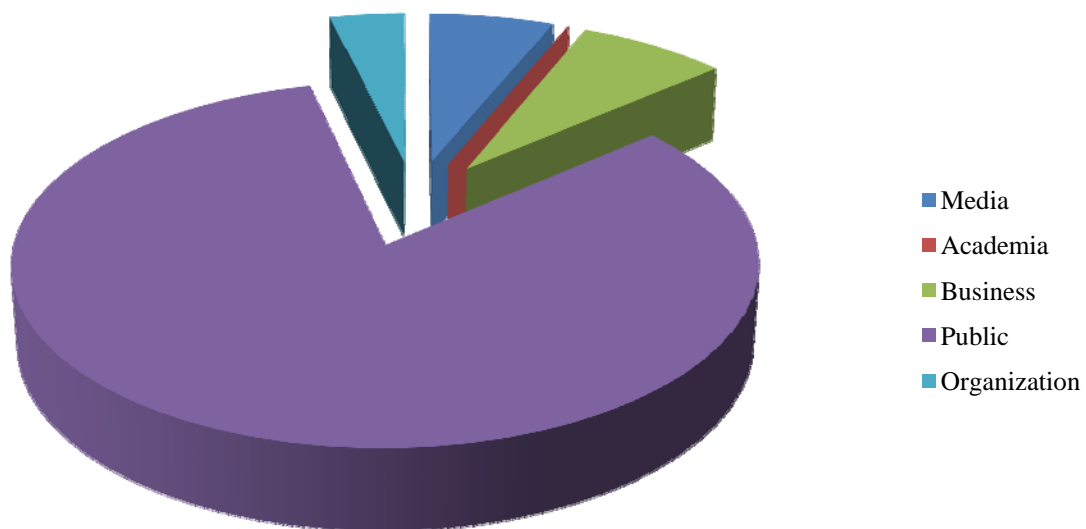
4.2 INTERPRETATION

4.2.1 Sources

Eighty new requests were received under the *Access to Information Act* during the period under review. Details concerning the source of the requests are as follows:

Media	6.25%
Business	7.5%
Public	82.5%
Academia	0 %
Organization	3.75%

Sources 2010- 2011

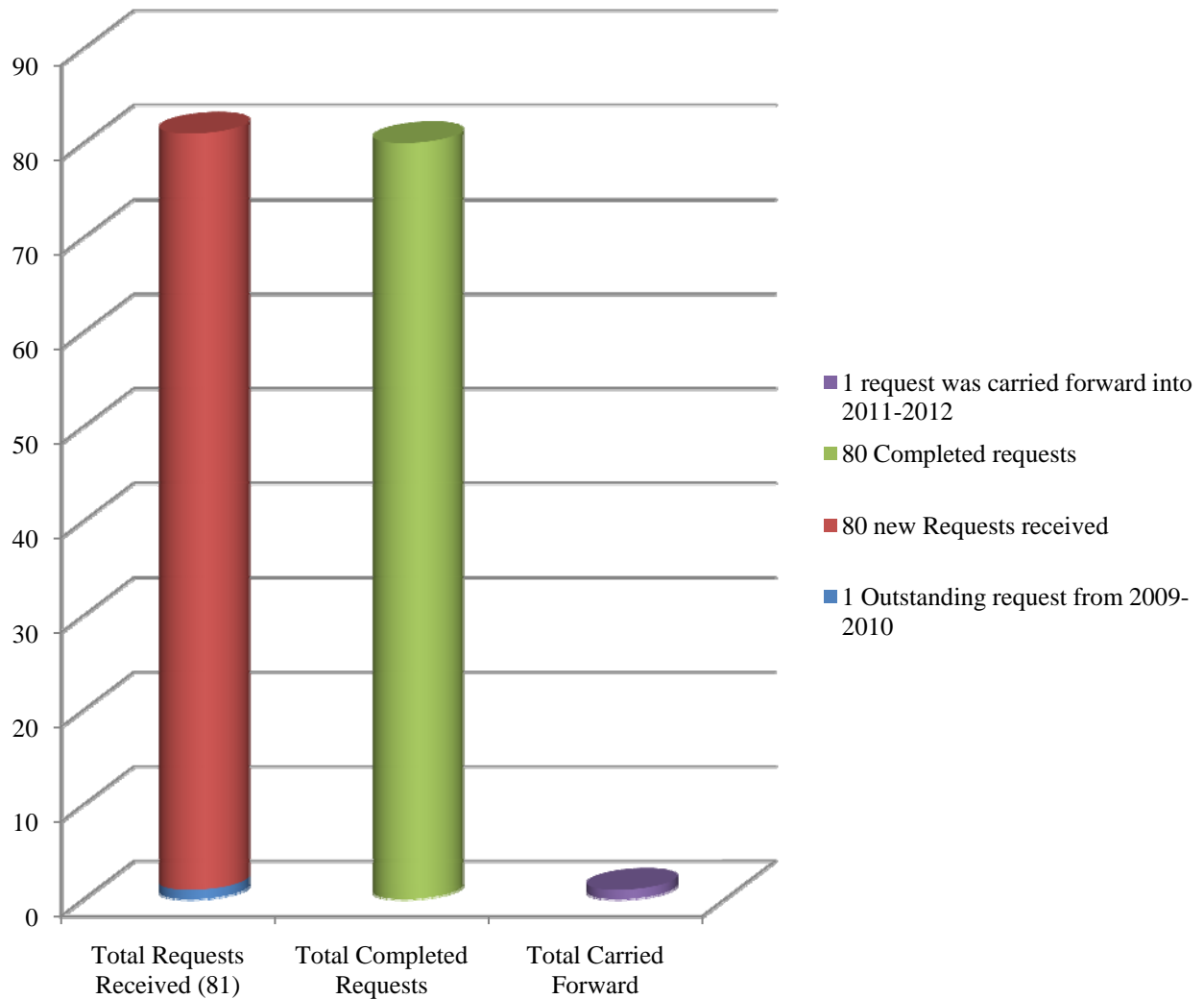


The majority of requests were received from the province of Ontario. The geographic origination breakdown is as follows:

- 99% from Ontario
- 1% from Québec

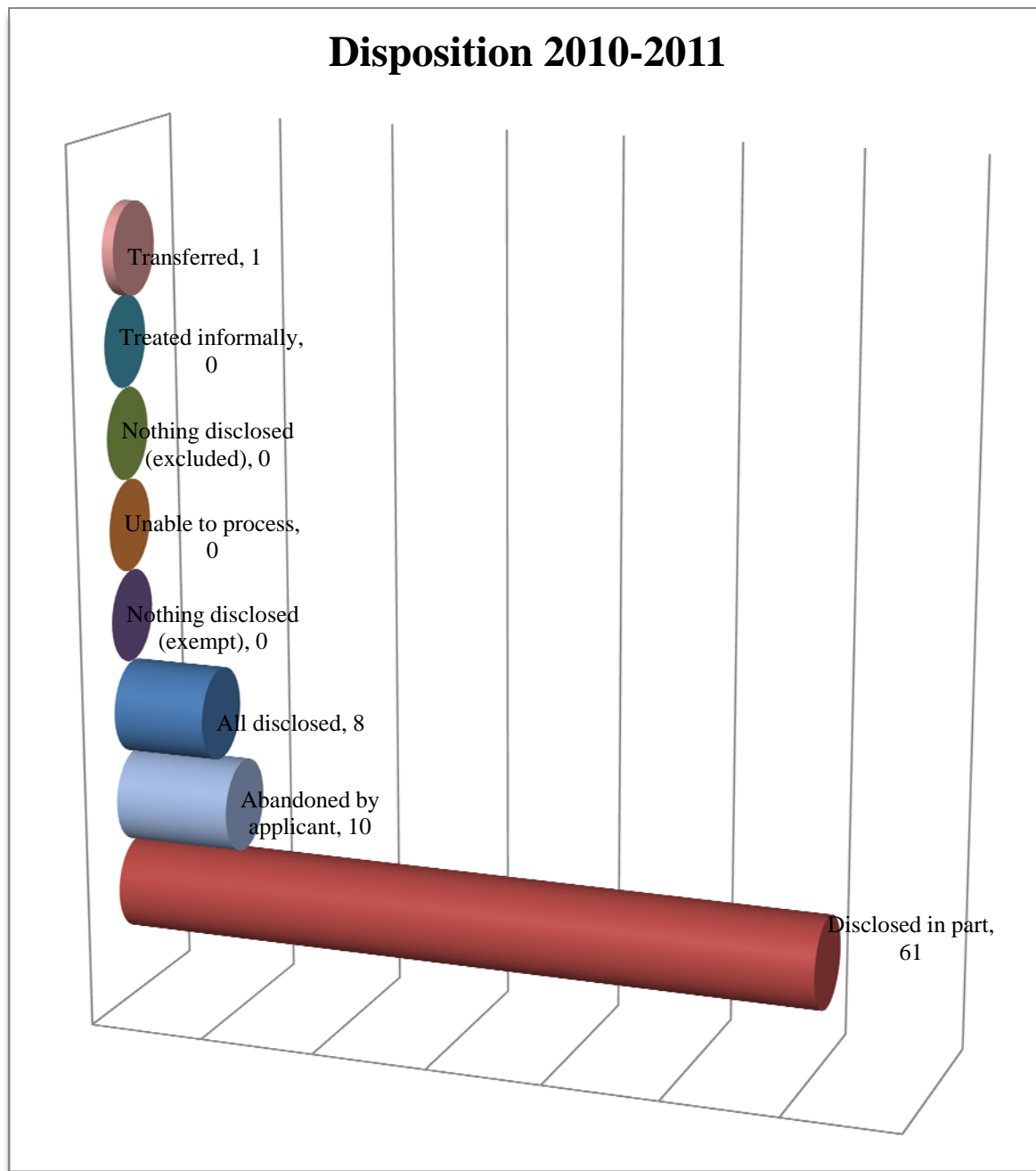
4.2.2 Box 1 – Requests under the *Access to Information Act*

Atomic Energy of Canada Limited (AECL) received 81 requests for information under the *Access to Information Act (ATIA)*. Out of the 81 received requests, 80 were new requests and 1 was outstanding from the previous period. A total of 80 requests were completed and 1 request was carried forward to the next fiscal year.



4.2.3 Box II – Disposition of requests completed

Of the 80 requests completed in 2010 – 2011, information was disclosed in full for 8 requests and in part for another 61 requests. AECL was able to process all 80 requests as the requested information did fall within their custody and control. Consequently, 10 requests were abandoned by applicants. Additionally, no request was excluded or exempted in full and no request was treated informally leaving one request as transferred to another federal organization.



4.2.4 Box III and IV – Exemptions invoked and Exclusions cited

Where access to certain information was denied the following reasons were cited:

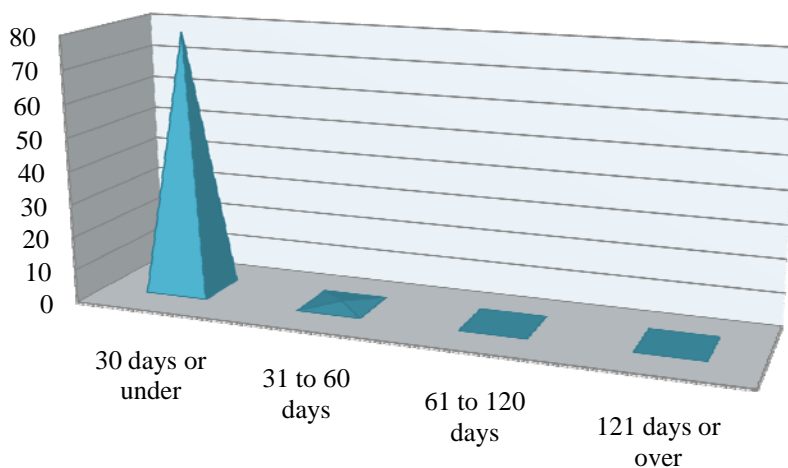
<u>Reason</u>	<u>Incidence</u>
Economic interests of Canada	5
Personal information	59
Third-party information	13
Advice, etc...	4

*In the 2010-2011 Statistical report on the *Access to Information Act*, AECL did not cite any exclusion.

4.2.5 Boxes V and VI – Completion time and Extensions

In 2010 – 2011, AECL did not find it necessary in any cases to extend the timeframe for requests under paragraphs 9(1)(b) and/or (c) of the *Act* in order to consult other government institutions and/or third parties. Seventy-nine of the 80 completed requests were completed in 30 days or less and 1 request was completed within 60 days of receipt. All requests were completed under 61 days.

Completion Time 2010-2011



	30 days or under	31 to 60 days	61 to 120 days	121 days or over
■ Fiscal Year 2010-2011	79	1	0	0

4.2.6 Box VII – Translations

No translations were prepared during the period under review.

4.2.7 Box VIII – Method of Access

Access to the relevant documents was given, in whole or in part, for 80 requests.

4.2.8 Box IX – Fees

Thirty dollars in application fees were collected between April 1st, 2010 and March 31st, 2011. No reproduction, searching, preparation or computer processing fees were assessed or collected. The *Access to Information Act* permits the waiving of fees when a request is deemed to be in the public's interest. Fees of \$25.00 or under were waived in 66 cases for a total of \$386.60 and fees over \$25.00 were waived in 6 cases for a total of \$667.80.

4.2.9 Box X – Costs

Total salary costs associated with *ATIA* activities are estimated at \$171,750 for 2010 – 2011. Other operation and maintenance costs amounted to \$10,298 for a total of \$182,048. The associated full-time equivalency (FTE) human resources was 1.5.

Included in the costs attributable to the Access to Information and Privacy Office (ATIPO) are the costs accountable for the administration of the *Act*. These are the salary costs of individuals working on other access to information (ATI) activities such as processing ATI requests, assisting the Information Commissioner in complaint investigations, processing consultation requests from other government institutions, preparing reports or training materials, maintaining statistics and giving briefing and awareness sessions.

5. EDUCATION AND TRAINING

AECL's ATIPO and Organizational Development and Training (ODT) has implemented and registered the ATI Awareness course under AWS-0029 to gain a total of 3 credit hours. This training is to inform AECL employees the basic principles of the *ATI Act*, their individual obligations, various exemptions/ exclusions and the reporting obligations of AECL to central agencies and Parliament. It is one of the ATIPO's objectives to ensure that all employees understand their obligations to the requirements of the *ATI Act*. In addition, the training provides details on applicable fees, tight deadlines and consultation process with other levels of governments. Briefing sessions form an integral part of the ATIP communications and training objectives.

Two briefing sessions were given at head office in Mississauga, five at Chalk River Laboratories, one at the Low-Level Radioactive Waste Management Office (LLRWMO) in Port Hope and one at the Port Hope Area Initiative Office (PHAI) also in Port Hope. Approximately 160 employees received training over fiscal year 2010-2011.

The ATIP Office will focus on additional training requirements for the upcoming fiscal year. Informal briefing sessions are also given regularly by the ATIPO employees during the process of retrieval and review of documents in response to ATI requests.

6. COMPLIANCE

AECL did not implement any new and/or revised access to information policies, guidelines or procedures during the reporting year 2010-2011.

7. COMPLAINTS AND INVESTIGATIONS

AECL received no new complaints under the *Access to Information Act* this fiscal year. Of the 3 complaints carried forward from the previous year, one complaint on exemptions invoked was resolved by providing the complainant additional information and 2 carried forward to the next fiscal year. No appeals were filed with the Federal Court at the end of this reporting period.

8. READING ROOM

The Reading Room is located within the ATIP Office at 112 Kent Street, Suite 501, Ottawa, Ontario. Copies of new or revised materials used by the Business Units in their day-to-day operations are available for public review. Additional material pertaining to AECL is also available.