

THIRD AMENDING AGREEMENT

BETWEEN:

BRUCE POWER L.P. (“Bruce Power”)

-and-

MUNICIPALITY OF KINCARDINE (the “Municipality”)

Effective Date: January 1, 2022

RECITALS

- I. Bruce Power and the Municipality entered into:
 - a) the Amended and Restated Nuclear Emergency Preparedness Agreement, dated as of December 14, 2007 with an effective date of January 1, 2007;
 - b) the Amending Agreement, dated as of April 25, 2013; and
 - c) the Second Amending Agreement, dated as of January 24, 2018(together, the “**Agreement**”).
- II. The Parties wish to further amend the Agreement upon the terms and conditions set out in this Third Amending Agreement.

In consideration of the mutual promises of this Third Amending Agreement, and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, the Parties agree as follows:

1. Acknowledgement:

The Parties acknowledge that the funding amount for 2021 per subsection 3.1 of the Agreement is up to \$115,846.63, and that the annual funding amount shall continue to adjust each year during the term of the Agreement in accordance with the CPI adjustment mechanism set out in subsection 3.1 of the Agreement.

2. Amendments:

Upon execution of this Third Amending Agreement by the Parties, the Agreement is amended as follows:

- a) Subsection 15.1 of the Agreement is replaced with the following:

“**Notices:** Any formal notice required by this Agreement shall be deemed properly given if faxed with confirming receipt from recipient, sent by registered mail or courier, or transmitted by electronic communication at the address/email below:

On behalf of the Municipality, to:

Municipality of Kincardine 1475 Concession 5, RR#5
Kincardine, ON N2Z 2X6
Attention: Municipality of Kincardine Clerk
Facsimile No.:(519) 396-3033
Email: clerk@kincardine.ca

On behalf of Bruce Power, to:
Bruce Power
P.O. Box 1540, B11
177 Tie Road
Municipality of Kincardine, RR#2
Tiverton, ON N0G 2T0
Attention: Steve Thompson
Facsimile No.: (519) 361-5588

Note: If notice is sent to Bruce Power via facsimile, then the Municipality shall also email Steve Thompson immediately following the facsimile transmission to advise facsimile sent and provide the following facsimile location: copier 6005, B11, Office A132

Email: steve.thompson2@brucepower.com

With a copy to:
Attention: Chief Legal Officer
Facsimile No.:(519) 361-4333
Email: generalcounsel@brucepower.com

Any such notice if delivered to address or email, shall be deemed to have been given and received on the date on which it was received at such address. Any notice transmitted by facsimile shall be deemed to have been given and received on the next Business Day.

Either Party may change its representative specified above by giving notice to the other Party.”

b) Subsection 15.2 of the Agreement is replaced with the following:

“Day to Day Contact Information: Any verbal or written correspondence regarding day-to-day activities between Bruce Power and the Municipality shall be addressed as follows:

On behalf of the Municipality, to:
Attention: Shane Watson
Phone No.: (519) 396-2141, extension 4
Email: swatson@kincardine.ca

On behalf of Bruce Power, to:
Attention: Steve Thompson
Phone No.: (519) 361-2673, extension 16380
Facsimile No.: (519) 361-5588

Note: If notice is sent to Bruce Power via facsimile, then the Municipality shall also email Steve Thompson immediately following the facsimile transmission to advise facsimile sent and provide the following facsimile location: copier 6005, B11, Office A132

Email: steve.thompson2@brucepower.com

Each of the Parties shall notify the other in writing upon any change in persons mentioned in this subsection 15.2.”

- c) Schedule A of the Agreement is replaced with Schedule A set forth in Exhibit 1 to this Third Amending Agreement.

****Remainder of page left blank****

The Parties have, by their duly appointed representatives who each have the authority to bind the parties, execute this Third Amending Agreement effective as of December 1, 2021.

MUNICIPALITY OF KINCARDINE

**BRUCE POWER., by its general partner,
Bruce Power Inc.**

By: _____
Name:
Title:

By: _____
Name:
Title:

By: _____
Name:
Title:

By: _____
Name:
Title:

EXHIBIT 1

[See next page]

SCHEDULE A

KEY DELIVERABLES OF MUNICIPALITY

Set out below are the deliverables that the Municipality must complete to receive full Funding under the Agreement.

The Provincial Nuclear Emergency Response Plan (“**PNERP**”) identifies the Municipality of Kincardine as the Designated Municipality in the detailed planning zone. The PNERP provides the basis for the deliverables outlined in this Agreement. Funding set out in the Agreement is to support the Municipality’s resourcing requirements to address the planning and response aspects related to the nuclear safety impacts on the public resulting from the operation of the Bruce Power nuclear assets.

Required deliverables:

1. Annual Emergency Management Program

The Municipality of Kincardine shall maintain the municipal standards set out in the Emergency Management and Civil Protection Act (“**EMCPA**”) Ontario Regulations 380/04 Standards. This includes designating an employee as the Community Emergency Management Coordinator (“**CEMC**”) and another employee as the alternate CEMC, in the event the CEMC is unavailable for response.

The CEMC will prepare an annual emergency management program schedule (“**EMP Schedule**”) and must identify, by quarter the following:

- drill and exercise schedule, including the public alerting tests and off-site centre drills;
- the Emergency Management Coordinating Committee (“**EMCC**”) meetings;
- the training schedule for those Municipal employees who require training under Applicable Law; and
- Emergency preparedness activities.

The EMP Schedule will be published and distributed no later than January 31st, of the current year. Revisions of the EMP Schedule to be included with bi-annual reports as required.

2. Meetings

The Municipality shall:

- ensure that the EMCC and sub-committee meetings are held as required by Applicable Law, with a minimum of 2 EMCC meetings per year;
- send out meeting agendas to committee members no later than 2 weeks prior to the meeting date;
- send out meeting minutes to committee members no later than 4 weeks after meetings have been conducted; and
- ensure that a Bruce Power representative is on the EMCC;
- conduct an annual meeting between Bruce Power Emergency Management Department representative(s), the Municipality’s CEMC and applicable Municipality management for the purpose of reviewing program performance and developing corrective actions as required;

- ensure the CEMC attends meetings as required including the Nuclear Emergency Management Coordinating Committee; and
- establish and attend regular meetings with Bruce Power emergency management department representatives at least quarterly but as governed by the established schedule.

3. Municipal Emergency Preparedness

The Municipality shall:

- have a CEMC who is 24/7 on-call and have an alternate maintain the same on-call availability to cover vacations if required, medical leaves, illness and so forth;
- prepare/revise plans and procedures as required under the EMPCA and PNERP;
- coordinate and conduct training of Municipal emergency response and support staff including associated partners such as utility companies, Non-Governmental Organizations as required;
- maintain Municipal emergency equipment and facilities in a state of readiness by performing regular checks and correcting deficiencies; and
- to the extent that nuclear emergency planning requirements extend beyond the boundaries of Kincardine, the Municipality will be responsible to ensure that neighboring municipalities are adequately supported in their nuclear emergency planning.

For clarity, communication and coordination of nuclear emergency planning within Bruce County¹ is the responsibility of the Municipal CEMC position. This work shall be conducted through the EMCC or the Bruce County CEMC Committee and Bruce Sector CEMC Committee.

4. Drills/Exercises and Training

The Municipality shall:

- coordinate and conduct emergency centre drills and exercises including the public alerting tests and off-site centre drills as per Municipality of Kincardine emergency response plan; and
- coordinate the planning and preparation of the municipal drills/exercises for the designate and host municipalities including exercise objectives, scenario development, agency participation, timeline, message cards, emergency facility availability, and readiness, etc. Coordinate and conduct appropriate training and briefings for applicable external agencies and designate and host municipal emergency response and support staff regarding their roles and responsibilities.

5. Public Education

The Municipality shall:

- conduct public education initiatives reaching the population within the automatic action zone and detailed planning zone to raise awareness of the possible hazards and what to do in the event of a nuclear emergency; and
- include radiological risks in the Municipality's general public education program.

6. Reporting and Administration

The Municipality shall:

- support the CNSC audit process as applicable;

¹ "Bruce County" is comprised of eight municipalities: Town of Saugeen Shores; Municipality of Kincardine; Municipality of Brockton; Town of South Bruce Peninsula; Township of Huron-Kinloss; Municipality of Arran-Elderslie; Municipality of South Bruce; and Municipality of Northern Bruce Peninsula.

- shall provide a bi-annual report using the following format to detail the following:
 1. Annual Emergency Management Program
 2. Meetings
 3. Municipal Emergency Preparedness
 4. Drills/Exercises and Training
 5. Public Education
 6. Reports and Administration including:
 - A. documentation - plans and procedures status i.e., documents requiring revision and target date for completion of revisions;
 - B. Municipal emergency response and support staff training including planned dates for training sessions, number of training sessions conducted, number of Municipal operations center staff trained, number of municipal, county and provincial off-site center staff who have received training/orientation;
 - C. emergency centre facility and equipment readiness including report on type and frequency of facility/equipment checks performed and report on deficiencies found and corrective actions taken;
 - D. drills and exercises performance report including when was it conducted, what was the scenario and scope, what organizations attended, list of finding and opportunities for improvement and report on status as applicable; and
 - E. public education update report including report on nuclear public education sub-committee meetings, report on public education conducted including dates, location and medium of education and report on public education Initiatives.