

# ORDER UNDER SECTION 35 OR PARAGRAPH 37(2)(f) OF THE NUCLEAR SAFETY AND CONTROL ACT

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<b>Index / order number</b>	0570		
<b>1</b>	CNSC licence no. (if applicable) 16086-1-24.0		
<b>2</b>	Date of order (yy/mm/dd) 2 1 - 0 3 - 1 7		

<b>3</b> Company/licensee (if applicable) and address Canadian Engineering & Inspection Ltd. 9637 - 45 Avenue Northwest Edmonton, Alberta	<b>4</b> Name (and title or position) of person(s) receiving the order Greg Joss
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**5a** Actions or measures required to be taken by licensee and/or other person(s) (specify) in respect of any facility, place, substance, vehicle, equipment or information (specify), including any time limits or restrictions

Canadian Engineering & Inspection Ltd. is hereby prohibited from using any exposure devices under Canadian Nuclear Safety Commission (CNSC) licence 16086-1-24.0 until such time that it can demonstrate the a trained/qualified Radiation Safety Officer (RSO) acceptable to the CNSC has been appointed.

Addenda attached

**5b** This order is closed when all items listed in 5a. of this form have been fulfilled, and

Canadian Engineering & Inspection Ltd. can demonstrate that a trained/qualified Radiation Safety Officer (RSO) acceptable to the CNSC has been appointed. This Order will also be considered closed if Canadian Engineering & Inspection Ltd. requests and receives approval for the revocation of CNSC Licence 16086-1-24.0. NOTE: For the revocation of the licence to be approved, acceptable documentation confirming that the exposure device(s) currently in possession have been transferred to an authorized CNSC licensee.

Addenda attached

**6** Information on which order is based

The currently appointed Radiation Safety Officer (RSO) does not possess the training/qualifications to manage a Radiation Safety Program and continued attempts at arranging for and a request for documentation to support a remote inspection have gone unanswered. Given that the current licensed activities on CNSC Licence 16086-1-24.0 issued to Canadian Engineering & Construction Ltd. permit "use", this licensee poses the risk of conducting radiography operations under CNSC licence 16086-1-24.0 without the required trained/qualified radiation safety personnel in place to manage the various aspects of the Radiation Safety Program including, but not limited to, training of workers and emergency response.

Addenda attached

**7** Time limit for complying:      Immediately:       Specified time:  .....

**8** CNSC inspector or designated officer making the order

Name: June Singleton      Title: Inspector      Telephone: 403-651-31164  
 Address: 670, 220 - 4th Avenue Southeast      Fax: N/A  
Calgary, Alberta T2G 4X3      Signature : .....

**9** Method of transmitting the order:      Personal delivery       Mail       Fax       Other (specify)  Email, Purolator courier, registered mail.

## SUMMARY OF SOME RELEVANT SECTIONS OF THE *NUCLEAR SAFETY AND CONTROL ACT*

### **ORDERS OF AN INSPECTOR**

**35(1)** Refer to this subsection for orders issued to licensees.

**35(2)** Refer to this subsection for orders issued to any person.

### **DESIGNATED OFFICERS**

**37(2)(f)** The Commission may authorize a designated officer to make any order that an inspector may make under subsection 35(1) or (2).

### **PROCEDURES**

**38** Every order of an inspector and every order of a designated officer under paragraph 37(2)(f) shall be made, and every measure under paragraph 37(2)(c), (d) or (g) shall be taken, in accordance with the *Canadian Nuclear Safety Commission Rules of Procedure*.

### **COMPLIANCE WITH ORDER**

**41** Every person named in or subject to an order of the Commission, an inspector or designated officer shall, regardless of whether or not the person has had an opportunity to make representations with respect to the order, comply with the order within the time specified in it or, if no time is specified, immediately.

### **OPPORTUNITY TO BE HEARD**

Refer to sections **39 and 40** of the *Nuclear Safety and Control Act*.

### **LIABILITY FOR COSTS**

Refer to section **42** of the *Nuclear Safety and Control Act*.

### **OFFENCES AND PUNISHMENT**

Refer to sections **48 to 65** of the *Nuclear Safety and Control Act*.