



<input type="checkbox"/> Confidential - Prescribed Information
<input checked="" type="checkbox"/> Unclassified Information

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

Index no./Order no. 1303	1. CNSC licence no. (if applicable) 05963-1-25.0	2. Date of order (YYYY-MM-DD) 2023-02-14
3. Company/licensee (if applicable) and address Carmeuse Lime (Canada) Limited, Beachville Plant, 374681 County Road 6, Ingersoll ON		
4. Name (and title or position) of person(s) receiving the order Thomas Aro, Radiation Safety Officer		
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 Effective immediately, the licensee is prohibited from performing both shutter lockouts on radiation devices and entries into any vessels or hoppers fitted with radiation devices until they can demonstrate that they have procedures and documentation in place for these activities that have been accepted by CNSC, and that all workers involved in these activities have received current and documented training on these procedures.		
<input type="checkbox"/> Addenda attached		
5b. This order is closed when all terms listed in 5a of this form have been fulfilled, and		
1. The licensee has detailed procedures included in their radiation protection program, and appended to their licence, for the safe performance of radiation device shutter lockouts and entry of vessels/ hoppers fitted with radiation devices which take into account applicable manufacturer instructions as well as all regulatory and licence condition requirements related to these activities. 2. The licensee has implemented a system of record keeping to demonstrate compliance with the radiation device shutter lock out and vessel/hopper entry procedures, including all of the requirements specified in Licence Condition 2052-3, Vessel or Hopper Entry. 3. The licensee has developed a training program that will ensure that all workers who are required to perform radiation device shutter lock outs or vessel/hopper entries, including any external contractors, can do so safely and in accordance with all applicable procedures. 4. Provide evidence that all workers who are currently identified by the licensee as authorized to perform radiation device shutter lock out and vessel/hopper entry activities have been competently trained on all applicable procedures.		
<input type="checkbox"/> Addenda attached		
6. Information on which order is based		
While conducting a routine compliance inspection of the licensee on February 14, 2023, the following safety significant deficiencies were identified: 1. Significant gaps in recorded information were identified in the examined 18 available records for radiation device shutter lockouts and vessel/hopper entries performed between July 2020 and January 2023. In particular, individual training and dose ascertainment related to vessel/hopper entry activities were incomplete. 2. Due to a lack of available records, the licensee was unable to show that several previous radiation device shutter lockouts were performed using a calibrated survey meter. 3. While the licensee's current radiation protection program states that only the Radiation Safety Officer (RSO) or Alternates are permitted to perform radiation device shutter lockouts, worker interviews and some available records showed that such lockouts have been performed by other licensee workers. There were no available records to show that these other individuals had any current radiation safety or radiation device shutter lock out procedure training. 4. While some available records indicated that the RSO was signing off on radiation device lockouts performed by other workers and the RSO was able to provide a record of some radiation safety and TDG training dated June 24, 2020, the gaps in record keeping demonstrate that the RSO's current level of training is insufficient to perform radiation device shutter lockouts and vessel/hopper entry activities in accordance with all applicable requirements. Additional details related to this order and inspection are also documented in Inspection Report Index D-05963-DK-230214-1.		
<input type="checkbox"/> Addenda attached		
7. Time limit for complying <input checked="" type="checkbox"/> Immediately <input type="checkbox"/> Specified time (YYYY-MM-DD)		

8. CNSC inspector or designated officer making the order	
Name: Denise Kozeluh	Title: Inspector
Address: 5800 Hurontario St. Suite 10-75, Mississauga ON L5R 4B4	Email Address: denise.kozeluh@cnscccsn.gc.ca
Telephone: 416-200-4947	Fax: (613) 995-5086
Signature: 	
9. Method of transmitting the order: <input type="checkbox"/> Personal delivery <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Other (specify) _____	

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*.