



## Record of Decision

DEC 26-H109

In the Matter of

Persons named in  
or subject to order

Best Theratronics Ltd.

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Purpose

Redetermination of the Commission's  
October 22, 2025 Amendment to  
Designated Officer Order 7396415

Date of the  
Commission  
Redetermination  
Hearing

February 23, 2026

Date of Decision

February 23, 2026

**RECORD OF DECISION – DEC 26-H109**

Persons named in or subject to order: Best Theratronics Ltd.

Address/Location: 413 March Road, Kanata, Ontario, K2K 0E4

Purpose: Redetermination of the Commission’s October 22, 2025 Amendment to Designated Officer Order 7396415

Order issued: November 6, 2024

Order amended: October 22, 2025

Redetermination Hearing: *Notice of Hearing in Writing* published on February 23, 2026

Date of Decision: February 23, 2026

Panel of the Commission: P. Tremblay, President

**Designated Officer Order 7396415, as amended by the Commission on October 22, 2025:  
Amended**

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## 1.0 INTRODUCTION

1. The Canadian Nuclear Safety Commission<sup>1</sup> (CNSC), pursuant to subsection 43(3) of the [Nuclear Safety and Control Act](#)<sup>2</sup> (NSCA) is considering a redetermination on its own initiative of Designated Officer [Order](#) 7396415<sup>3</sup> (“the order”) issued to [Best Theratronics Ltd.](#) (“BTL” or “the licensee”) on November 6, 2024 and subsequently amended by the Commission on [October 22, 2025](#) (“the amended order”).<sup>4</sup> The BTL facility is located in Ottawa, Ontario, within the traditional unceded territory of the Algonquin Anishnaabeg peoples.
2. BTL holds a Class IB nuclear substance processing facility operating licence, NSPFL-14.00/2029, which will expire on June 30, 2029. Under this licence, BTL is authorized to manufacture cyclotrons and medical equipment, including cobalt-60 (Co-60)-based external beam radiation therapy units and cesium-137 (Cs-137) self-contained irradiators for blood irradiation.
3. The amended order includes the following 7 conditions:
  1. Effective immediately, Best Theratronics Ltd. must not undertake the activities named in part IV (a)-(e) of licence NSPFL-14.00/2029, except for the following:
    - a) possession, transfer and storage of nuclear substances under part IV (b) and (d)
    - b) export of nuclear substances as specified under part IV (d)
    - c) production, under part IV (c), of the 3 partially finished GammaCell units
    - d) possession, transfer, export and storage of prescribed equipment under part (e)

For clarity, this order does not impact Best Theratronics Ltd.’s authority to possess nuclear substances and prescribed equipment, or to possess and use prescribed information. Best Theratronics Ltd. must continue to maintain its inventory of nuclear substances and prescribed equipment in a safe and secure manner, in accordance with its licensing basis. Part IV (a)-(e) of licence NSPFL-14.00/2029 is reproduced below:

*(a) operate a Class IB nuclear facility located at 413 March Road, Ottawa, Ontario, including activities related to:*

- i. operating a particle accelerator/accelerators (cyclotron/cyclotrons);*
- ii. possessing nuclear substances for the purposes of manufacturing radiation devices and radioactive source teletherapy machines;*

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<sup>1</sup> The *Canadian Nuclear Safety Commission* is referred to as the “CNSC” when referring to the organization and its staff in general, and as the “Commission” when referring to the tribunal component.

<sup>2</sup> Statutes of Canada (S.C.) 1997, c. 9.

<sup>3</sup> [Order by a Designated Officer Under Paragraph 37\(2\)\(f\) and Subsection 35\(2\) of the Nuclear Safety and Control Act](#), issued November 6, 2024.

<sup>4</sup> DEC 25-H118, *Redetermination of the Commission’s February 14, 2025 Amendment to Designated Officer Order 7396415*, October 22, 2025.

iii. *possessing a radioactive source teletherapy machine, for the purposes of developing and testing of radioactive source teletherapy machines;*

*(b) possess, transfer, manage, and store nuclear substances arising from the activities regarding the particle accelerators;*

*(c) produce prescribed equipment;*

*(d) possess, transfer, use, import, export, manage, and store within the facility any nuclear substances that are required for, associated with, or related to manufacturing radiation devices, and development and testing of radioactive source teletherapy machines;*

*(e) possess, transfer, use, import, export, and store prescribed equipment that is required for, associated with, or related to manufacturing of radiation devices and development and testing of radioactive source teletherapy machines, and manufacturing radioactive source teletherapy machines;*

2. Within 14 calendar days of the Commission's decision on this matter, Best Theratronics Ltd. shall submit to CNSC staff an updated itemized inventory of all sealed sources, depleted uranium and prescribed equipment in its possession under its Class IB licence.
3. Within 14 calendar days of the Commission's decision on this matter, Best Theratronics Ltd. shall submit to CNSC staff a plan for shipping of sealed sources and should Best Theratronics Ltd. intend to ship other regulated material, an associated plan to do so.
4. Within 125 calendar days of the Commission's decision on this matter, Best Theratronics Ltd. is to ship all Category 1 and Category 2 (Co-60 and Cs-137 sources) in its possession under its Class IB licence.
5. Best Theratronics Ltd. shall report monthly to CNSC staff on the status of shipping of sealed sources and potentially other regulated material.
6. Within 55 calendar days of the Commission's decision on this matter, Best Theratronics Ltd. is to provide to CNSC staff a revised Preliminary Decommissioning Plan in accordance with [REGDOC-2.11.2 Decommissioning](#), considering the reduction of sources in inventory as a result of this order.
7. Within 140 calendar days of the Commission's decision on this matter, Best Theratronics Ltd. is to provide a Financial Guarantee in accordance with [REGDOC-3.3.1, Financial Guarantees for Decommissioning of Nuclear Facilities and Termination of Licensed Activities](#) for the Commission's consideration and acceptance.

4. With respect to the inventory reduction under condition 4, the 125-calendar day deadline is February 24, 2026. With respect to establishing a financial guarantee

acceptable to the Commission under condition 7, the 140-calendar day deadline is March 11, 2026.

5. On February 18, 2026, BTL informed the Commission that it would not be able to meet the deadlines for conditions 4 and 7. BTL requested an extension to May 31, 2026, to reduce its inventory. In light of this information, the Commission decided that it would consider redetermining the amended order at its own initiative.

#### Matters for Decision

6. The Commission is required to determine,<sup>5</sup> in accordance with paragraph 43(4)(i) of the NSCA,<sup>6</sup> whether to confirm the amendment of Designated Officer Order 7396415—made by the Commission on October 22, 2025—or to cancel the amendment and confirm, amend, revoke or replace the order.

#### Commission Procedures

7. On February 23, 2026, the Commission published a Notice of Hearing in Writing<sup>7</sup> for this matter. The Commission determined that it would hold a public hearing based on written submissions, pursuant to paragraph 40(5)(b) of the NSCA,<sup>8</sup> and in accordance with the [\*Canadian Nuclear Safety Commission Rules of Procedure\*](#)<sup>9</sup> (the Rules). Whereas Rule 31 of the Rules provides that the Commission shall send a notice of redetermination to participants in the matter being redetermined, the Commission has varied this Rule pursuant to subrule 3(1) to ensure that the proceeding be dealt with as informally and expeditiously as the circumstances and considerations of fairness permit.
8. Pursuant to section 22 of the NSCA, the President of the Commission established himself as a Panel for this redetermination hearing. The Commission, in making its decision, considered the amended order and the information referred to in the amended order, as well as oral and written submissions from CNSC staff (CMD 26-H109) and BTL (CMD 26-H109.1).

## **2.0 DECISION**

9. With reasons described in more detail below, the Commission is exercising its authority to redetermine, at its own initiative, its October 22, 2025 amendment of Designated Officer Order 7396415. By this redetermination, the Commission

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<sup>5</sup> Pursuant to subsection 43(3) of the NSCA, the Commission may, on its own initiative, redetermine any decision or order made by it or by an inspector or designated officer or any term or condition of a licence.

<sup>6</sup> Under paragraph 43(4)(i) of the NSCA, on considering a redetermination, the Commission may hear new evidence or rehear such evidence as it considers necessary and may, in the case of an amendment of an order, confirm the amendment or cancel the amendment and confirm, amend, revoke or replace the order.

<sup>7</sup> Notice of Hearing in Writing, Redetermination of an order issued to Best Theratronics Ltd., February 23, 2026.

<sup>8</sup> Pursuant to paragraph 40(5)(b) of the NSCA, the Commission can hold a public hearing with respect to a matter within its jurisdiction under the NSCA, if the Commission is satisfied that it would be in the public interest to do so.

<sup>9</sup> SOR/2000-211.

amends Designated Officer Order 7396415, as amended on October 22, 2025, as described below.

10. Following this redetermination by the Commission, the full text of the amended order is as follows:

1. Effective immediately, Best Theratronics Ltd. must not undertake the activities named in part IV (a)-(e) of licence NSPFL-14.00/2029, except for the following:

- a) possession, transfer and storage of nuclear substances under part IV (b) and (d)
- b) export of nuclear substances as specified under part IV (d)
- c) production, under part IV (c), of the 3 partially finished GammaCell units
- d) possession, transfer, export and storage of prescribed equipment under part (e)

For clarity, this order does not impact Best Theratronics Ltd.'s authority to possess nuclear substances and prescribed equipment, or to possess and use prescribed information. Best Theratronics Ltd. must continue to maintain its inventory of nuclear substances and prescribed equipment in a safe and secure manner, in accordance with its licensing basis. Part IV (a)-(e) of licence NSPFL-14.00/2029 is reproduced below:

*(a) operate a Class IB nuclear facility located at 413 March Road, Ottawa, Ontario, including activities related to:*

- iv. operating a particle accelerator/accelerators (cyclotron/cyclotrons);*
- v. possessing nuclear substances for the purposes of manufacturing radiation devices and radioactive source teletherapy machines;*
- vi. possessing a radioactive source teletherapy machine, for the purposes of developing and testing of radioactive source teletherapy machines;*

*(b) possess, transfer, manage, and store nuclear substances arising from the activities regarding the particle accelerators;*

*(c) produce prescribed equipment;*

*(d) possess, transfer, use, import, export, manage, and store within the facility any nuclear substances that are required for, associated with, or related to manufacturing radiation devices, and development and testing of radioactive source teletherapy machines;*

*(e) possess, transfer, use, import, export, and store prescribed equipment that is required for, associated with, or related to manufacturing of radiation devices and development and testing of radioactive source teletherapy machines, and manufacturing radioactive source teletherapy machines;*

2. Within 7 calendar days of this order, and every 14 days thereafter, Best Theratronics Ltd. shall submit to CNSC staff an updated itemized inventory of all sealed sources, depleted uranium and prescribed equipment in its possession under its Class IB licence.

3. Best Theratronics Ltd. shall submit to CNSC staff a detailed schedule for each shipment of all sealed sources, depleted uranium and prescribed equipment remaining in its inventory. The detailed schedule shall include the planned dates and quantities, and contracts in place for all shipments.
4. **By May 31, 2026**, Best Theratronics Ltd. is to ship all Category 1 and Category 2 (Co-60 and Cs-137 sources) in its possession under its Class IB licence.
5. Best Theratronics Ltd. shall report to CNSC staff every 14 days on the status of shipping of sealed sources and potentially other regulated material.
6. **By March 31, 2026**, Best Theratronics Ltd. is to provide to CNSC staff a revised Preliminary Decommissioning Plan in accordance with [REGDOC-2.11.2 Decommissioning](#), considering the reduction of sources in inventory as a result of this order.
7. **By June 15, 2026**, Best Theratronics Ltd. is to provide a Financial Guarantee in accordance with [REGDOC-3.3.1, Financial Guarantees for Decommissioning of Nuclear Facilities and Termination of Licensed Activities](#) for the Commission's consideration and acceptance.
8. **On March 24, 2026**, Best Theratronics Ltd. shall appear before the Commission, in a manner to be communicated by the Commission Registry, at a public Commission meeting to provide an update on its compliance with this order.
11. The Commission notes that this redetermination does not absolve nor exempt BTL from complying with any other regulatory requirements such as regarding the export of sources,<sup>10</sup> including the requirement to apply for separate export licences for Category 1 and 2 radioactive sources.<sup>11</sup>
12. As outlined in the amended order, BTL remains required to reduce its inventory and reestablish a financial guarantee acceptable to the Commission within the prescribed timelines. The Commission recognizes the progress made by the licensee, and re-emphasizes the importance of timely compliance with the amended order.

### 3.0 ISSUES AND COMMISSION FINDINGS

13. In making its decision, the Commission considered all the relevant submissions relating to the redetermination of the order.<sup>12</sup> The Commission also considered the

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<sup>10</sup> Regulatory requirements related to the export of nuclear substances include the [Packaging and Transport of Nuclear Substances Regulations, 2015](#), the [Nuclear Non-proliferation Import and Export Control Regulations](#), and those set out in [REGDOC-2.13.2, Import and Export, Version 2](#).

<sup>11</sup> Export licences are decided on by certain CNSC designated officers.

<sup>12</sup> Pursuant to subsection 43(4) of the NSCA, on considering an appeal or a redetermination, the Commission may hear new evidence or rehear such evidence as it considers necessary.

adequacy of the measures for protecting the environment, the health and safety of persons, national security and international obligations to which Canada has agreed.

14. The Commission's analysis is set out within the following sections of this *Record of Decision*:

- Section 3.1: Submission by Best Theratronics Ltd.
- Section 3.2: Submission by CNSC Staff
- Section 3.3: Commission Findings

### **3.1 Submission by Best Theratronics Ltd.**

15. In its request for an extension, BTL submitted that it had made significant progress in reducing its inventory of sealed radioactive sources, but it would not be able to meet the Commission ordered deadline for both the inventory reduction and the updated financial guarantee. BTL requested that the Commission extend the deadline for inventory reduction to May 31, 2026.<sup>13</sup>

16. In providing its rationale for the May 31 deadline, BTL submitted that, while it had shipped the majority of its material, the remaining material would need to be packed in licensed transport containers, and that BTL had a limited inventory of such containers. BTL explained that its shipments would be limited to one truckload at a time, and that the containers would need to be unloaded at their destination and shipped back empty; a process that would take approximately 2 weeks per shipment.<sup>14</sup>

### **3.2 Submission by CNSC Staff**

17. CNSC staff assessed that the requested extension to May 31, 2026, would not pose a risk to the public or the environment.<sup>15</sup> CNSC staff provided an overview of BTL's efforts to comply with the order, and submitted the following:<sup>16</sup>

- as of February 18, 2026, BTL had removed 58% of Cs-137 sources and 86% of Co- 60 sources; all the depleted uranium remains onsite
- BTL continues to report on the status of its inventory to CNSC staff; the remaining inventory remains under safe and secure storage
- BTL had submitted a revised preliminary decommissioning plan (PDP) in accordance with condition 6; CNSC staff has requested that BTL address information gaps by February 24, 2026

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<sup>13</sup> CMD 26-H109.1, page 2.

<sup>14</sup> CMD 26-H109.1, page 3.

<sup>15</sup> CMD 26-H109, page 6.

<sup>16</sup> CMD 26-H109, pages 3-5.

- BTL had not provided an established plan for shipping its remaining inventory ahead of the February 24, 2026, deadline, despite CNSC staff's requests for this information.

18. With respect to the inventory reduction, CNSC staff submitted that, in the absence of established shipping plans, including contractual commitments, it was unable to determine whether the requested date of May 31, 2026, was feasible. CNSC staff recommended that BTL be required to provide an established shipment plan for its remaining Co-60 and Cs-137 sources, including the contract(s) it has in place to support those shipments, no later than March 6, 2026. CNSC staff added that it would report to the Commission once BTL provides this information.<sup>17</sup>
19. With respect to the financial guarantee, CNSC staff submitted that BTL's ability to submit a financial guarantee acceptable to the Commission by May 31, 2026, would be contingent on BTL's ability to reduce its inventory and address the information gaps identified by CNSC staff in the PDP.<sup>18</sup>

### **3.3 Commission Findings**

20. Based on the information submitted on record and summarized above, the Commission has redetermined the amended order to enable BTL to continue to reduce its inventory with the goal of establishing a financial guarantee acceptable to the Commission. In redetermining the order, the Commission has included more stringent reporting requirements, including that BTL appear before the Commission at an upcoming proceeding to provide an update to the Commission.
21. As further described below, the Commission amends Designated Officer Order 7396415 in a manner consistent with its October 22, 2025 redetermination, as follows:

1. Condition 1 of the order is unchanged.
2. Condition 2 of the order is amended to:

Within 7 calendar days of this order, and every 14 days thereafter, Best Theratronics Ltd. shall submit to CNSC staff an updated itemized inventory of all sealed sources, depleted uranium and prescribed equipment in its possession under its Class IB licence.

3. Condition 3 of the order is amended to:

Best Theratronics Ltd. shall submit to CNSC staff a detailed schedule for each shipment of all sealed sources, depleted uranium and prescribed equipment remaining in its inventory. The detailed schedule shall include the planned dates and quantities, and contracts in place for all shipments.

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<sup>17</sup> CMD 26-H109, page 6.

<sup>18</sup> CMD 26-H109, page 6.

4. Condition 4 of the order is amended to:

**By May 31, 2026**, Best Theratronics Ltd. is to ship all Category 1 and Category 2 (Co-60 and Cs-137 sources) in its possession under its Class IB licence.

5. Condition 5 of the order is amended to:

Best Theratronics Ltd. shall report to CNSC staff every 14 days on the status of shipping of sealed sources and potentially other regulated material.

6. Condition 6 of the order is amended to:

**By March 31, 2026**, Best Theratronics Ltd. is to provide to CNSC staff a revised Preliminary Decommissioning Plan in accordance with [REGDOC-2.11.2 Decommissioning](#), considering the reduction of sources in inventory as a result of this order.

7. Condition 7 of the order is amended to:

**By June 15, 2026**, Best Theratronics Ltd. is to provide a Financial Guarantee in accordance with [REGDOC-3.3.1, Financial Guarantees for Decommissioning of Nuclear Facilities and Termination of Licensed Activities](#) for the Commission's consideration and acceptance.

8. The following new condition is added as Condition 8:

**On March 24, 2026**, Best Theratronics Ltd. shall appear before the Commission, in a manner to be communicated by the Commission Registry, at a public Commission meeting to provide an update on its compliance with this order.

22. In its previous redetermination, the Commission was satisfied that redetermining the order would enable BTL to divest itself of its inventory in accordance with CNSC regulatory requirements, and that doing so would mitigate risks to the environment, the health and safety of persons, national security, and Canada's international obligations. The Commission is satisfied that this remains the case.
23. The Commission acknowledges the progress that BTL has made in reducing its inventory, despite failing to meet the timelines prescribed in the amended order. The Commission is satisfied that BTL has undertaken the inventory reduction in accordance with regulatory requirements.<sup>19</sup> In recognition of BTL's continued willingness to complete this work, the Commission finds it appropriate to redetermine the order in a manner that will enable BTL to return to regulatory compliance.
24. Notwithstanding the above, the Commission takes note of the concerns expressed by CNSC staff, particularly with respect to the lack of timely responses to requests for information. The Commission further notes that the information being considered in

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<sup>19</sup> CMD 26-H109, page 6.

this matter was filed with the Commission mere days before BTL would have been out of compliance with the order. The Commission expects BTL to be forthcoming with all relevant information in a timely manner, allowing sufficient time to address any issues that may arise in meeting the requirements established by this order. For this reason, and in recognition of the public interest in the status of BTL, the Commission is requiring BTL to appear before it at a public meeting to provide a further update on this matter.

25. The Commission continues to underscore the importance of BTL reestablishing an acceptable financial guarantee. The Commission notes that failure to comply with the timelines prescribed in the amended order could lead to further regulatory action. The Commission reiterates and maintains the position established in its October 22, 2025 decision, including that the amendment does not absolve nor exempt BTL from any other regulatory requirements such as regarding the export of sources, including to apply for separate export licences for Category 1 and 2 radioactive sources.

#### **4.0 CONCLUSION**

26. The Commission has considered the information in the amended order issued to BTL and the information submitted by CNSC staff and BTL. Pursuant to paragraph 43(4)(i) of the NSCA, the Commission redetermined its October 22, 2025 decision at its own initiative. By this redetermination, it amends Designated Officer Order 7396415 in the manner described in this *Record of Decision*.
27. The Commission emphasizes that BTL shall not undertake activities authorized under its Class IB licence, other than in accordance with the amended order.

February 23, 2026

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Pierre F. Tremblay  
President  
Canadian Nuclear Safety Commission

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Date