



Record of Decision

Canadian Nuclear Safety Commission

DEC 26-H112

In the Matter of

Best Theratronics Ltd.

Licence Revocation under Section 25 of the *Nuclear Safety and Control Act*

Decision Date: July 31, 2026

DEC 26-H112

Licensee: Best Theratronics Ltd.

Licensee Address: 413 March Road, Kanata, Ontario, K2K 0E4

Subject: Licence Revocation under Section 25 of the *Nuclear Safety and Control Act*

Commission Panel: P. Tremblay, President

Licence NSPFL-14.00/2029: Revoked
Order 7396415: Ceases to have effect

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1 OVERVIEW

1. The Canadian Nuclear Safety Commission¹ (CNSC), pursuant to section 25 of the [Nuclear Safety and Control Act](#)² (NSCA) is considering the revocation, on its own motion, of the Class IB licence held by Best Theratronics Ltd.
2. The Best Theratronics Ltd. facility is located in Ottawa, Ontario, within the traditional unceded territory of the Algonquin Anishnaabeg peoples.
3. The Class IB licence, NSPFL-14.00/2029, will expire on June 30, 2029. Under this licence, Best Theratronics Ltd. 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.
4. Best Theratronics Ltd. is subject to an [order](#) (Order 7396415) initially issued by a CNSC Designated Officer on November 6, 2024,³ and most recently [amended](#) by the Commission on February 23, 2026.⁴ Among other actions, the order required Best Theratronics Ltd. to:
 - ship all Category 1 and Category 2 (Co-60 and Cs-137 sources) in its possession under its Class IB licence
 - provide a financial guarantee in accordance with CNSC regulatory document [REGDOC-3.3.1, Financial Guarantees for Decommissioning of Nuclear Facilities and Termination of Licensed Activities](#)⁵ for the Commission's consideration and acceptance.
5. Best Theratronics Ltd. subsequently reduced its inventory of Category 1 and Category 2 sealed sources.⁶ This inventory reduction placed Best Theratronics Ltd. outside the CNSC's Class IB licensing framework.⁷ Best Theratronics Ltd.

¹ 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.

² Statutes of Canada (S.C.) 1997, c. 9.

³ Designated Officer Order 7396415, November 6, 2024.

⁴ DEC 26-H109 *Redetermination of the Commission's October 22, 2025 Amendment to Designated Officer Order 7396415*, February 23, 2026.

⁵ REGDOC-3.3.1, *Financial Guarantees for Decommissioning of Nuclear Facilities and Termination of Licensed Activities*, January 2021.

⁶ Approximately 86% of the cobalt-60 inventory and 92% of the cesium-137 inventory have been exported.

⁷ The definition of a Class IB nuclear facility is provided in section 1 of [Class I Nuclear Facilities Regulations](#). The Best Theratronics Ltd. facility would no longer be "a facility that includes a particle accelerator, other than a particle accelerator described in paragraphs (d) and (e) of the definition Class II prescribed equipment

subsequently applied for a nuclear substances and radiation devices (NSRD) storage licence for the reduced inventory.⁸ On June 9, 2026, a CNSC Designated Officer issued an NSRD licence to Best Theratronics Ltd. (“the NSRD licence”). The NSRD licence authorizes Best Theratronics Ltd. to carry on the possession, transfer, export and storage of nuclear substances and prescribed equipment that remain onsite.

6. CNSC staff recommended that the Commission revoke the Class IB licence on its own motion, pursuant to section 25 of the NSCA and paragraph 8(2)(f) of the [General Nuclear Safety and Control Regulations](#) (GNSCR).⁹
7. To consider this matter, the President of the Commission established himself as a Panel of the Commission.¹⁰ Best Theratronics Ltd. was given an opportunity be heard in accordance with the NSCA¹¹ and the [Canadian Nuclear Safety Commission Rules of Procedure](#).¹² The Commission considered written submissions from Best Theratronics Ltd.¹³ and CNSC staff.¹⁴
8. Based on its consideration of the record before it, and for the reasons described in this *Record of Decision*, the Commission revokes licence NSPFL-14.00/2029. Consequently, Order 7396415 ceases to have effect.

2 ISSUES

9. The Commission may, on its own motion, revoke a licence under the prescribed conditions.¹⁵ Subsection 8(2) of the GNSCR provides the conditions under which the Commission may exercise this power:

- (a) the licensee is not qualified to carry on the licensed activity
- (b) the licensed activity poses an unreasonable risk to the environment, the health and safety of persons or the maintenance of national security

in section 1 of the Class II Nuclear Facilities and Prescribed Equipment Regulations;” or “a plant, other than a Class II nuclear facility as defined in section 1 of the *Class II Nuclear Facilities and Prescribed Equipment Regulations*, for the processing or use, in a quantity greater than 10¹⁵ Bq per calendar year, of nuclear substances other than uranium, thorium or plutonium.”

⁸ Per the [Nuclear Substances and Radiation Devices Regulations](#).

⁹ SOR/2000-202.

¹⁰ Pursuant to section 22 of the NSCA.

¹¹ Paragraph 40(1)(b) of the NSCA requires that BTL be given an opportunity to be heard before the Commission makes a decision under section 25.

¹² *Canadian Nuclear Safety Commission Rules of Procedure*, SOR/2000-211.

¹³ CMD 26-H112.1 and CMD 26-H112.1A.

¹⁴ CMD 26-H112 and CMD 26-H112.A.

¹⁵ Section 25 of the NSCA.

- (c) the licensee has failed to comply with the Act, the regulations made under the Act or the licence
- (d) the licensee has been convicted of an offence under the Act
- (e) a record referred to in the licence has been modified in a manner not permitted by the licence
- (f) the licensee no longer carries on the licensed activity
- (g) the licensee has not paid the licence fee prescribed by the [Cost Recovery Fees Regulations](#)¹⁶
- (h) failure to do so could pose an unreasonable risk to the environment, the health and safety of persons or national security.

10. The Commission will also consider the status and applicability of Order 7396415 as it relates to Best Theratronics Ltd., and whether it remains in effect.

3 DECISION

11. Based on its consideration of the record before it, the Commission concludes that Best Theratronics Ltd. no longer carries on the licensed activity under Class IB licence NSPFL-14.00/2029.
12. Having established the above, the Commission revokes licence NSPFL-14.00/2029.
13. With this decision, Order 7396415 ceases to have effect.

4 EVIDENCE AND COMMISSION ANALYSIS

14. In deciding whether to revoke licence NSPFL-14.00/2029, the Commission considered the evidence on the record of this proceeding and the conditions set out in subsection 8(2) of the GNSCR, as discussed below.

4.1 The licensee no longer carries on the licensed activity

15. The Commission finds that Best Theratronics Ltd. no longer carries on the licensed activity under Class IB licence NSPFL-14.00/2029.

¹⁶ Cost Recovery Fees Regulations, SOR/2003-212.

16. CNSC staff reported that, following the amended order, Best Theratronics Ltd. reduced its inventory of Category 1 and Category 2 sealed sources,¹⁷ placing it outside the Class IB licensing framework. Best Theratronics Ltd. subsequently applied for an NSRD storage licence that would authorize it to carry on licensed activities for the reduced inventory.
17. On June 9, 2026, a CNSC Designated Officer issued an NSRD licence to Best Theratronics Ltd.¹⁸ The NSRD licence maintains CNSC regulatory oversight over Best Theratronics Ltd. and the remaining inventory at its facility. The NSRD licence authorizes Best Theratronics Ltd. to carry on the possession, transfer, export and storage of nuclear substances and prescribed equipment.¹⁹ The NSRD licence includes a financial guarantee scheme, along with a requirement that Best Theratronics Ltd. maintain its letter of credit in favour of the CNSC. These measures will ensure the necessary funds are available for decommissioning.²⁰
18. The Class IB licence authorizes BTL to operate a particle accelerator/accelerators (cyclotron/cyclotrons). CNSC staff submitted that Best Theratronics Ltd. did not have a cyclotron in operation at the facility and that it did not intend to operate one. Equipment present onsite remains under assembly and conventional in nature.²¹
19. Best Theratronics Ltd. initially confirmed that it did not object to CNSC staff's recommendation that the Commission revoke the Class IB licence on its own motion.²² Best Theratronics Ltd. later suggested that its Class IB licence be allowed to expire. The Commission rejects this suggestion given that Best Theratronics Ltd.'s licence is valid until 2029.
20. The Commission takes note that Best Theratronics Ltd. does not currently carry on any activity that would require a Class IB licence. Best Theratronics Ltd. has an NSRD licence to carry on licensed activities commensurate with its reduced inventory of Category 1 and Category 2 sealed sources only.
21. The Commission is satisfied that Best Theratronics Ltd. remains under continued CNSC regulatory oversight within the NSRD licensing framework. In revoking licence NSPFL-14.00/2029, Best Theratronics Ltd. no longer has any obligations under that licence.

¹⁷ CMD 26-H112, page 2.

¹⁸ Pursuant to paragraph 37(2)(c) of the NSCA.

¹⁹ CMD 26-H112, page 3.

²⁰ CMD 26-H112, page 3.

²¹ CMD 26-H112, page 3.

²² CMD 26-H112.1.

4.2 Order 7396415 ceases to have effect

22. With the revocation of licence NSPFL-14.00/2029, Best Theratronics Ltd. is no longer required to comply with [amended Order 7396415](#). The actions of that order, which are solely related to the Class IB licence, do not apply to the newly issued NSRD licence.
23. The amended Order included 7 conditions, which are summarized below, along with the status of each condition:

#	Condition	Status
1	Best Theratronics Ltd. must not undertake the activities named in part IV (a)-(e) of licence NSPFL-14.00/2029, except for the following [...]	This condition is no longer necessary. The Commission is satisfied that with the revocation of NSPFL-14.00/2029, Best Theratronics Ltd. would no longer be authorized to carry on any activity authorized under the Class IB licence, except those for which it has a separate NSRD licence.
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.	This condition is no longer necessary. Best Theratronics Ltd. satisfied this condition of the order.
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.	This condition is no longer necessary. Best Theratronics Ltd. satisfied this condition of the order.

#	Condition	Status
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.	This condition is no longer necessary. With the reduction of inventory and subsequent issuance of the NSRD licence, Best Theratronics Ltd. is no longer in possession of Category 1 and Category 2 sources 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.	This condition is no longer necessary. Best Theratronics Ltd. satisfied this condition of the order.
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 <i>Decommissioning</i> , considering the reduction of sources in inventory as a result of this order.	This condition is no longer necessary. Best Theratronics Ltd. provided a revised Preliminary Decommissioning Plan for CNSC staff review within the prescribed timeline.
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, <i>Financial Guarantees for Decommissioning of Nuclear Facilities and Termination of Licensed Activities</i> for the Commission's consideration and acceptance	This condition is no longer necessary. With the revocation of NSPFL-14.00/2029, Best Theratronics Ltd. would no longer be subject to a licence condition to maintain a financial guarantee under that licence. The NSRD licence includes a financial guarantee scheme, along with a requirement that Best Theratronics Ltd. maintain its letter of credit in favour of the CNSC.

5 CONCLUSION

24. Based on the information on the record, the Commission finds that paragraph 8(2)(f) of the GNSCR applies to this matter. Therefore, pursuant to section 25 of the NSCA, the Commission revokes licence NSPFL-14.00/2029 issued to Best Theratronics Ltd. Order 7396415 ceases to have effect.
25. The Commission is satisfied that CNSC regulatory oversight over Best Theratronics Ltd. will continue under the NSRD licence. CNSC staff's reporting to the Commission on Best Theratronics Ltd.'s performance shall fall within its reporting on NSRD licensees, as applicable.
26. The Commission acknowledges that, after the timelines for this proceeding had expired, Best Theratronics Ltd. requested authorization to conduct factory acceptance testing of a disassembled 70 MeV cyclotron that is at its facility. The request noted that the cyclotron would be operated at very low power, under strict conditions, and for the limited purpose of conducting factory acceptance testing.²³
27. CNSC staff noted its understanding that Best Theratronics Ltd. has a customer willing to buy the cyclotron pending the factory acceptance testing.²⁴ CNSC staff identified additional regulatory steps that would be required before Best Theratronics Ltd. could conduct the proposed activity, including but not limited to an amendment to its Class II licence, and reiterated its recommendation that the Commission proceed with the revocation of licence NSPFL-14.00/2029 on its own motion.
28. With the revocation of its Class IB licence, Best Theratronics Ltd. is not authorized to have a cyclotron at its facility that is capable of producing nuclear energy and has a beam energy greater than 50 MeV.
29. Best Theratronics Ltd.'s new request is beyond the scope of this proceeding, and the Commission refuses to consider it here. Best Theratronics Ltd. should continue working with and seeking guidance from CNSC staff should it need a limited and temporary exemption under section 7 of the NSCA. Best Theratronics Ltd. should also be prepared to show that granting the exemption would not pose any of the risks described in section 11 of the GNSCR.

²³ CMD 26-H112.1A.

²⁴ CMD 26-H112.1A.

30. To conclude, Best Theratronics Ltd. is restricted to the activities authorized by its valid licences. Best Theratronics Ltd. cannot undertake any activities previously authorized by the Class IB licence that is now revoked.

Pierre F. Tremblay
President
Canadian Nuclear Safety Commission

July 31, 2026

Date