



**ORDER BY A DESIGNATED OFFICER UNDER PARAGRAPH 37(2)(f) AND  
SUBSECTION 35(2) OF THE *NUCLEAR SAFETY AND CONTROL ACT***

CNSC File 4.02.03

Unclassified

**Date of Order:** March 21, 2023

**TO:**

Mississauga Metals & Alloys Inc.  
71 Middleton Street  
Brantford, Ontario N3S 7X1

**AND TO:**

Richter Advisory Group Inc/  
Richter Groupe Conseil Inc.  
#3510 - 181 Bay Street  
Bay Wellington Tower  
Toronto, Ontario M5J 2T3

**AND TO:**

1420561 Ontario Inc.  
71 Middleton Street  
Brantford, Ontario N3S 7X1

**WHEREAS** Mississauga Metals and Alloys Inc. previously held Canadian Nuclear Safety Commission (CNSC) licence number WNSL-W2-3750.00/2022 issued pursuant to the *Nuclear Safety and Control Act* which authorized Mississauga Metals and Alloys Inc. to possess, transfer, store, and manage nuclear substances.

**AND WHEREAS**, nuclear substances includes natural uranium and low-enriched uranium.

**AND WHEREAS**, section 26 of the *Nuclear Safety and Control Act* prohibits any person to possess, transfer or store a nuclear substance except in accordance with a licence issued by the CNSC.

**AND WHEREAS**, Mississauga Metals and Alloys Inc. occupied premises located at 71 Middleton Street, Brantford, Ontario (hereinafter referred to as “the premises”), as described in CNSC licence WNSL-W2-3750.00/2022, which authorized the licensee to conduct the licensed activities on that site.

**AND WHEREAS**, 1420561 Ontario Inc. is identified as the owner of the premises and is the landlord for Mississauga Metals and Alloys Inc.’s activities on the site.

**AND WHEREAS**, on 20 July 2021, both Mississauga Metals and Alloys Inc. and 1420561 Ontario Inc. filed a Notice of Intention to Make a Proposal under the *Bankruptcy and Insolvency Act*.



**AND WHEREAS**, on 20 August 2021, both Mississauga Metals and Alloys Inc. and 1420561 Ontario Inc. were deemed to have made an assignment in bankruptcy pursuant to section 50.4(8) of the *Bankruptcy and Insolvency Act* (the “Bankruptcy”) as a result of both entities failing to file a proposal by the prescribed deadline.

**AND WHEREAS**, on or about 20 August 2021, Richter Advisory Group Inc/Richter Groupe Conseil Inc. was appointed as Bankruptcy Trustee of Mississauga Metals and Alloys Inc. and 1420561 Ontario Inc. (in such capacity, the “Trustee”) by the official receiver (as defined in the *Bankruptcy and Insolvency Act*).

**AND WHEREAS**, CNSC licence WNSL-W2-3750.00/2022 expired on 28 February 2022, and Mississauga Metals and Alloys Inc. has not submitted an application for renewal of the CNSC licence.

**AND WHEREAS**, as of the date of this document, 1420561 Ontario Inc. has not submitted an application for a CNSC licence to authorize the possession and storage of nuclear substances on the premises.

**AND WHEREAS**, 1420561 Ontario Inc. currently has unlicensed possession and storage of nuclear substances on the premises.

**AND WHEREAS**, as of the date of the Bankruptcy, the property of the bankrupt companies, Mississauga Metals and Alloys and 1420561 Ontario Inc., was vested in the Trustee, pursuant to section 71 of the *Bankruptcy and Insolvency Act*.

**AND WHEREAS**, on or about 19 August 2021, the Trustee advised the CNSC that it will not be taking any steps in respect of the property of Mississauga Metals and Alloys and 1420561 Ontario Inc.

**AND WHEREAS**, as of the date of this document, the Trustee has not taken possession of the property of Mississauga Metals and Alloys and 1420561 Ontario Inc., nor taken measures to secure the premises or other property of the bankrupt companies.

**AND WHEREAS**, as of the date of this document, the Trustee has not submitted an application to the CNSC for a licence to possess, store or manage the nuclear substances at the premises, contrary to section 26 of the *Nuclear Safety and Control Act*.

**AND WHEREAS**, as of the date of this document, no CNSC licence has been issued in respect of the same premises or nuclear substances.

**AND WHEREAS**, notwithstanding the Bankruptcy and the vesting of the premises in the Trustee, a principal of Mississauga Metals and Alloys and 1420561 Ontario Inc. has accessed and attended upon the premises after the date of Bankruptcy.



**AND WHEREAS**, these events demonstrate that the Trustee has not taken reasonable measures to ensure the safety and security of the nuclear substances there.

**AND WHEREAS**, taken together the circumstances demonstrate inadequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security in relation to the unauthorized possession and storage of the nuclear substances and are of concern to the CNSC.

**AND WHEREAS**, pursuant to paragraph 37(2)(f) of the *Nuclear Safety and Control Act*, I am a designated officer authorized by the Commission to make any order that an inspector may make under subsection 35(2) of the Act.

**THEREFORE**, in accordance with paragraph 35(2)(a) of the *Nuclear Safety and Control Act*, I order Mississauga Metals and Alloys Inc., 1420561 Ontario Inc. and the Trustee to:

1. By 3 April 2023, take measures to secure the premises against unauthorized access.
2. By 17 April 2023, have a person licensed by the CNSC undertake possession and storage of the nuclear substances located on the premises, in a manner that ensures the safety and security of those nuclear substances.
3. By 1 April 2024, have a person licensed by the CNSC:
  - a. Verify the amounts of and physical form of all nuclear substances on the premises.
  - b. Provide a written report of the physical inventory verification to the satisfaction of the Designated Officer.
4. By 6 May 2024, have a person licensed by the CNSC provide a written plan, including schedule, for the safe and secure removal of the nuclear substances from the premises, subject to any other federal, provincial or municipal legislation, to the satisfaction of the Designated Officer.
5. By 3 February 2025, have a person licensed by the CNSC complete the removal of the nuclear substances from the premises to the satisfaction of the Designated Officer.

This order will remain in effect until all the information required by this Order has been provided, actions required by this Order have been completed and I am satisfied that Mississauga Metals and Alloys Inc., 1420561 Ontario Inc. or the Trustee has made adequate provision for the health and safety of persons, protection of the environment and maintenance of national security.

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Ramzi Jammal  
Designated Officer  
Canadian Nuclear Safety Commission