



Canada's Nuclear Regulator

L'organisme de réglementation
nucléaire du Canada

Confidential - Prescribed Information

Unclassified Information

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

Index no./Order no. OR-08046-CJ-260113-1	1. CNSC licence no. (if applicable) 08046-1-25.0 (expired)	2. Date of order (YYYY-MM-DD) 2026-01-13
3. Company/licensee (if applicable) and address Dart Canada Inc., 2121 Markham Road, Scarborough, ON M1B 2W3		
4. Name (and title or position) of person(s) receiving the order Joseph Mensah (Radiation Safety Officer/Applicant Authority)		
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 Dart Canada Inc., at their facility at 2121 Markham Road, Scarborough, ON must: 1. Immediately ensure i) all nuclear substances and radiation devices under their expired licence remain secured in their current installed locations, consistent with the conditions observed by inspectors on January 13, 2026; ii) no use, dismounting, servicing, or maintenance of the radiation devices or handling of nuclear substances is conducted by employees of Dart Canada Inc.; iii) prudent security measures are in place and maintained to prevent unauthorized access to nuclear substances and radiation devices; and iv) radiation warning signs required under the Radiation Protection Regulations remain posted, visible, and legible.		
<input type="checkbox"/> Addenda attached		
5b. This order is closed when all terms listed in 5a of this form have been fulfilled, and All nuclear substances and radiation devices, previously licensed under CNSC licence 08046-1-25.0, are in the possession of a CNSC licensee by January 28, 2026.		
<input type="checkbox"/> Addenda attached		
6. Information on which order is based <ol style="list-style-type: none">1. The licensee's CNSC licence (08046-1-25.0) authorizing the possession, transfer, import, export, use, and storage of radiation devices has expired on May 31, 2025, and is no longer valid. The radiation devices have not been in use since May 5, 2025.2. The RSO informed CNSC on May 6, 2025 that a source removal quote was received from Honeywell. At that time, the RSO was awaiting internal authorization to issue the purchase order.3. The RSO believed he was permitted to transfer the radiation devices after the licence had expired.4. On January 13, 2026, CNSC staff conducted an inspection at 2121 Markham Rd in Scarborough, ON and confirmed the presence of 6 Honeywell model 2201 radiation devices on site, identified by the following serial numbers: NM379, MN378, MN 377, MN 376, PF 174, and PF 175.5. On January 13, 2026, Mark Emerson, Plant Manager and the Signing Authority for the CNSC licence, provided a verbal commitment to CNSC staff to maintain security of the devices until the nuclear substances and radiation devices are under regulatory control.6. On January 14, 2026, Mark Emerson stated he provided a purchase order to CNSC licensee Honeywell Limited (15858) to obtain the sources.7. Based on conversation with Mark Emerson and Joseph Mensah (RSO) on January 15, 2026, action plan was provided to have sources removed by January 28, 2026.		
<input type="checkbox"/> Addenda attached		
7. Time limit for complying <input checked="" type="checkbox"/> Immediately <input type="checkbox"/> Specified time (YYYY-MM-DD)		



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

8. CNSC inspector or designated officer making the order

Name: Charlie Janicki	Title: Inspector
Address: 5800 Hurontario St, Suite 10-075, Mississauga, ON L5R 0B8	Email Address: charlie.janicki@cnsn-ccsn.gc.ca
Telephone: (416) 528-5476	Fax: (613) 995-5086

Signature:

9. Method of transmitting the order: Personal delivery Mail Email Fax 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*.

