



<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. 1010	1. CNSC licence no. (if applicable) 16967-3-25.0	2. Date of order (YYYY-MM-DD) 2024-08-15
3. Company/licensee (if applicable) and address Metro Testing & Engineering Ltd.		
4. Name (and title or position) of person(s) receiving the order Hendrik Voelker (RSO)		
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		
The workers authorization to use the nuclear gauges must be revoked until the licensee can demonstrate the the worker possesses sufficient training and experience to resume working safely with the device.		
<input type="checkbox"/> Addenda attached		
5b. This order is closed when all terms listed in 5a of this form have been fulfilled, and		
The licensee must also review and verify that their training program is sufficient to ensure that workers understand their obligations and how to maintain security of the device while in transport and operation.		
<input type="checkbox"/> Addenda attached		
6. Information on which order is based		
The inspector arrived on site to conduct an unannounced field inspection of the worker identified by the Type A package in an open tailgate of a van labelled with Metro Testing & Engineering Ltd. on a construction site along the South Fraser Perimeter Road. The worker was sleeping in the drivers seat with the Type A package unlocked and empty in the back of the van, the device was discovered by the inspector unattended on the construction site approximately 200ft away in a trench. The device was surrounded by heavy duty earth moving equipment operating in close proximity to the device as well as other workers unassociated with the license. When asked why the device was not stored in the Type A package when not in use, the worker stated that the other workers on-site were asked to watch the device between compaction tests		
<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: Robin Williams	Title: Inspector
Address: 220 4 Ave SE, Suite 620 Calgary, Alberta T2G-4X3	Email Address: robin.williams@cncs-ccsn.gc.ca
Telephone: 403-589-6293	Fax: (613) 995-5086

Signature
(certificate)

Williams, Robin

Digitally signed by Williams, Robin
DN: C=CA, O=GC, OU=CNSC-CCSN, CN="Williams, Robin"
Reason: I am the author of this document
Location:
Date: 2024.08.15 20:48:54-06'00'
Foxit PDF Editor Version: 13.0.1

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*.

