

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

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<b>Index / order number</b>	0494		
<b>1</b>	CNSC licence no. (if applicable) 60208-1-27.1		
<b>2</b>	Date of order (yy/mm/dd) 2 4 - 0 7 - 2 2		

<b>3</b> Company/licensee (if applicable) and address Accurate Materials Testing Ltd. 6 - 130 Glacier Street Coquitlam, BC	<b>4</b> Name (and title or position) of person(s) receiving the order Mazyar Rastbin, MSc., President & Founder
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**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

Accurate Materials Testing Ltd. is prohibited from transporting and using any portable gauges under the CNSC licence that is issued to them (60208-1-27.1) until such time that it can demonstrate to the satisfaction of the Canadian Nuclear Safety Commission (CNSC) that:

- 1) The Radiation Safety Program (RSP) has been effectively implemented, and is satisfactorily managed by a person with sufficient knowledge, time and resources, and
- 2) All notices of non-compliance cited in Preliminary Inspection Report D-60208-JGSL-240722-1 have been corrected to the satisfaction of the CNSC.

Addenda attached

**5b** This order is closed when all items listed in 5a. of this form have been fulfilled, and

The CNSC has informed Accurate Materials Testing Ltd. that it is satisfied that all items listed in 5a. have been fulfilled.

Addenda attached

**6** Information on which order is based

Preliminary Inspection Report Index D-60208-JGSL-240722-1 and the fact that the Radiation Safety Program for Accurate Materials Testing Ltd. lacks sufficient trained personnel to oversee the overall management of it's implementation resulting in several notices of non-compliance. The RSO failed to demonstrate sufficient knowledge with respect to licence and regulatory requirements, was not able to provide sufficient documented evidence to demonstrate that authorized worker training has been completed and has been transporting a gauge without a properly completed transport/shipping document. Additionally, doses to the one worker has not been sufficiently ascertained (see RP 13) and internal audits have not been completed.

Addenda attached

**7** Time limit for complying:      Immediately:       Specified time:  .....

**8** CNSC inspector or designated officer making the order

Name: June Singleton      Title: Inspector      Telephone: 403-651-3116

Address: 670, 220 - 4th Avenue SE, Calgary, AB T2G 4X3      Fax: N/A

june.singleton@cnscccsn.gc.ca      Signature: 

**9** Method of transmitting the order:      Personal delivery       Mail       Fax       Other (specify)  email.....

## 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*.