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

Index no./Order no. 1306	1. CNSC licence no. (if applicable) 60705-1-27.0	2. Date of order (YYYY-MM-DD) 2024-12-12
3. Company/licensee (if applicable) and address Prodigy Gold Inc., 3910-181 Bay St. Toronto, On M5J 2T3		
4. Name (and title or position) of person(s) receiving the order Daniel Depatie, Mill Superintendent and Applicant Authority for the CNSC Licence		
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 licensee is prohibited from using any of the radiation devices in their possession at the licensed location of activity, identified on the licence as the Process Plant, Dubreuilville ON. 48.2990 N, 84.5520 W, until it can be demonstrated to the satisfaction of the CNSC that there is an acceptable level of management oversight for the radiation protection program, as required by Section 4(a), subparagraphs (i) through (iv) of the Radiation Protection Regulations. The licensee must submit written documentation confirming that the shutters on all of the radiation devices have been closed and locked out. This lock out must only be performed by trained and qualified workers in accordance with approved CNSC licence procedures.		
<input type="checkbox"/> Addenda attached		
5b. This order is closed when all terms listed in 5a of this form have been fulfilled, and		
1. CNSC staff have received all of the requested prescribed records and supporting documentation as identified in Addendum 1 (attached). 2. CNSC staff have received and accepted a plan from the licensee which describes how they will ensure there is always an authorized point of contact available to respond in a timely manner to communications and requests from CNSC staff with regards to the licensed activities. 3. CNSC staff have received and accepted a plan from the licensee which describes how they will ensure there is always a trained and qualified worker onsite to respond to incidents or emergencies involving the radiation devices.		
<input checked="" type="checkbox"/> Addenda attached		
6. Information on which order is based See Addendum 2 (attached).		
<input checked="" 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: Denise Kozeluh	Title: Inspector, Regional Site Supervisor
Address: 5800 Hurontario St. Suite 10-075, Mississauga ON L5R 4B4	Email Address: denise.kozeluh@cnscccsn.gc.ca
Telephone: 416-200-4947	Fax: (613) 995-5086
Signature:	
9. Method of transmitting the order: <input type="checkbox"/> Personal delivery <input type="checkbox"/> Mail <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> 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*.



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ADDENDUM 1

<input type="checkbox"/> Inspection report <input checked="" type="checkbox"/> Order	Index no. 1306	CNSC licence no. (if applicable) 60705-1-27.0
<p>5b. This order is closed when all terms listed in 5a. of this form have been fulfilled, and</p> <p>Prescribed records and other supporting documentation to be submitted for review by CNSC staff:</p> <ol style="list-style-type: none"> 1. Documentation to confirm the exact location of each radiation device within the Process Plant, including whether the device is mounted inline or if it is dismantled and in a secure storage area. The documentation must include the following information for each device; (a) make and model, (b) device serial number (c) isotope and activity 2. Photos of each radiation device which clearly shows (a) the general position of the device in its current location, (b) the details of any radiation warning signage and emergency contact information posted near the device, and (c) the details of the source tag which identifies the device serial number, isotope, activity and any other details about the radioactive source. 3. Copies of current and valid leak tests for all of the radiation devices. 4. Copies of current calibration certificates for all radiation survey meters in the licensee's possession. 5. The names and job titles of all workers who are authorized by the licensee to perform work involving the radiation devices as described in the Radiation Safety Manual, V4, Section 6. 6. Documentation to show that all authorized workers have completed all of the training required by the licensee's radiation protection program as described in the Radiation Safety Manual, V4, Section 7. 7. Documentation identifying the current annual occupational dose to date (Jan 1, 2024 to December 12, 2024) for all authorized workers as per the procedure described in the Radiation Safety Manual, V4, Section 8.2. To maintain privacy of information, each individual's dose can be identified in the documentation by their initials such that CNSC staff can cross reference the information with the worker names provided in other requested documentation. 		
<input checked="" type="checkbox"/> Inspector <input type="checkbox"/> Designated Officer	Name: Denise Kozeluh	Date: (YYYY-MM-DD) 2024-12-12
Signature:		



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ADDENDUM 2

<input type="checkbox"/> Inspection report <input checked="" type="checkbox"/> Order	Index no. 1306	CNSC licence no. (if applicable) 60705-1-27.0
<p>6. Information on which the order is based:</p> <p>- The licensee has an appointed Radiation Safety Officer (RSO), Alternate RSO and Applicant Authority for the licence. Appointment documentation submitted to the CNSC for these individuals was received on September 18, 2024 (CNSC Document 7366323).</p> <p>- On October 23, 2024, CNSC Inspector Danielle Schmidt notified the licensee of a remote compliance inspection for which a list of prescribed records and supporting documentation were to be submitted to the CNSC by November 13, 2024 with a scheduled virtual interview with the licensee via MS Teams, scheduled for December 11, 2024 at 11:00am. CNSC received confirmation from the RSO acknowledging the dates for the inspection (CNSC Documents 7422400 and 7415545). None of the requested records were submitted by the due date.</p> <p>- On November 20, 2024, CNSC Inspector Danielle Schmidt sent a follow up email to the RSO and alternate RSO asking that the originally requested inspection documentation be submitted by November 22, 2024 (CNSC Document 7422387). Again, no documents or any other communication from the licensee were received.</p> <p>- On November 27, 2024, CNSC Inspector Danielle Schmidt sent a formal Demand Letter by email to the RSO, alternate RSO and Applicant Authority (Mill Superintendent), requiring the submission of the inspection documentation by December 2, 2024, with notification that failure to provide the records could result in some form of enforcement action (CNSC Document 7415918). Read receipts confirming delivery of the Demand Letter to the RSO and Applicant Authority were received by CNSC the same day (CNSC Documents 7415934, 7415935). Once again, no documents or any other communications from the licensee were received.</p> <p>- On December 11, 2024, CNSC Inspector Denise Kozeluh and Project Officer, Saif Khan, logged in to the originally accepted December 11, 2024, 11:00am MS Teams inspection video conference; however, none of the licensee's representatives joined the meeting. At 11:06 and 11:09am respectively, Inspector Denise Kozeluh phoned both the RSO and the Applicant Authority at the contact numbers provided to CNSC and left voicemail messages requesting urgent contact to discuss the missed inspection meeting. No responses were received from either party.</p> <p>- at 12:06 pm on December 11, 2024, Inspector Denise Kozeluh contacted the Prodigy Gold Inc. Dubreuilville operations site security line to ascertain whether either the RSO or the Applicant Authority were onsite at the licensed location and was told that while they could not confirm if the RSO was onsite, the Applicant Authority was listed as being onsite for the day. The Inspector explained the purpose and urgent nature of their call and asked that site security contact the Applicant Authority and have them call the Inspector's cell number as soon as possible. There was no response received.</p> <p>Due to the fact that the CNSC could not make contact with any individual responsible for the licensed activity to ascertain the condition of the radiation devices and the level of management oversight for the radiation protection program, the order to stop of the use of the radiation devices was issued.</p>		
<input checked="" type="checkbox"/> Inspector <input type="checkbox"/> Designated Officer	Name: Denise Kozeluh	Date: (YYYY-MM-DD) 2024-12-12
Signature:		