




<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*

<b>Index no./Order no.</b> 1275	<b>1. CNSC licence no. (if applicable)</b> 15185-1-26.1	<b>2. Date of order (YYYY-MM-DD)</b> 2024-05-07
<b>3. Company/licensee (if applicable) and address</b> 1908273 Ontario Ltd. o/a Vitalim Diagnostic Imaging 9600 Bathurst Street Suite 302 Vaughan, ON L6A 3Z8		
<b>4. Name (and title or position) of person(s) receiving the order</b> Mike Arhire, Applicant Authority		
<b>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</b> The licensee 1908273 Ontario Ltd. (o/a Vitalim Diagnostic Imaging) must keep all sealed radioactive sources currently in their possession in secure storage and is prohibited from using, transferring, importing or exporting radioactive materials until it can be demonstrated to the satisfaction of the CNSC that management control of the radiation protection program is effectively implemented as required under Section 4(a), subparagraphs (i) through (iii) of the Radiation Protection Regulations		
<input type="checkbox"/> Addenda attached		
<b>5b. This order is closed when all terms listed in 5a of this form have been fulfilled, and</b> See Addendum 1		
<input checked="" type="checkbox"/> Addenda attached		
<b>6. Information on which order is based</b> See Addendum 2		
<input checked="" type="checkbox"/> Addenda attached		
<b>7. Time limit for complying</b> <input checked="" type="checkbox"/> Immediately <input type="checkbox"/> Specified time (YYYY-MM-DD)		

8. CNSC inspector or designated officer making the order	
Name: Jeff Fleming	Title: Inspector
Address: 5800 Hurontario Street 10th Floor, Suite 10-75 Mississauga, ON, L5R 4B4	Email Address: jeffrey.fleming@cncs-ccsn.gc.ca
Telephone: 289-795-0986	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*.



## ADDENDUM 1

<input type="checkbox"/> Inspection report  <input checked="" type="checkbox"/> Order	Index no. 1275	CNSC licence no. (if applicable) 15185-1-26.1
<p>5.b This order is closed when all the terms listed in section 5a of Order no. 1275 have been fulfilled when: I. All items of non-compliance cited in CNSC Inspection Report D-15185-JF-240507-1 have been addressed to the satisfaction of the CNSC , II. CNSC Staff are satisfied the specific corrective actions to the three (3) items listed below are implemented.</p> <p>1. In regards to Radiation Protection Regulations, Section 4 (a) (i) Appoint a Radiation Safety Officer (RSO) with sufficient, demonstrable training and knowledge to competently conduct their responsibilities as required under the Act, Regulations, and Licence Documents. With respect to obligations to the Licence Documents (i.e. radiation safety manual), the licensee must review and revise their radiation safety manual in response to the May 7, 2024 inspection.</p> <p>Further, the licensee must also appoint a trained and qualified Alternate RSO who can assist the RSO in fulfilling formally delegated obligations.</p> <p>Further, the CNSC requires demonstrable evidence the RSO and Alternate RSO have sufficient resources (financial and with respect to workload) to fulfill regulatory obligations.</p> <p>Further, the licensee must implement a radiation instrument management program that will ensure instruments and equipment that are used for radiation measurements are selected, tested and calibrated for their intended use.</p> <p>Lastly, the licensee must retain a qualified third-party who will perform an audit on the performance of the radiation protection program annually for the remainder of the licence period.</p> <p>2. In regards to Radiation Protection Regulations, Section 4 (a) (ii) Provide evidence that all workers, including subcontractors and ancillary workers, have received training and are qualified to competently conduct their responsibilities as required under the Act, Regulations (including Transportation of Dangerous Goods), and Licence Documents</p> <p>3. In regards to Radiation Protection Regulations, Section 4 (a) (iii) Provide evidence to show that a licensed dosimetry provider, capable of providing both whole-body and extremity dosimeters, has been retained and will be used to ascertain occupational doses for all workers performing licenced activities. Further, there must be a sufficient number of spare dosimeters (whole-body and extremity) available to meet anticipated staffing needs. Licensee must provide evidence dosimetry results will be reviewed by a qualified person, on a quarterly basis.</p> <p>Licensee must provide evidence they have trained workers in personal contamination monitoring procedures and implement a mechanism to review personal contamination monitoring results on a weekly basis.</p>		
<input checked="" type="checkbox"/> Inspector  <input type="checkbox"/> Designated Officer	Name: Jeff Fleming	Date: (YYYY-MM-DD) 2024-05-07
Signature:		



<input type="checkbox"/>	Confidential - Prescribed Information
<input checked="" type="checkbox"/>	Unclassified Information

## ADDENDUM 2

<input type="checkbox"/> Inspection report	Index no.	CNSC licence no. (if applicable)
<input checked="" type="checkbox"/> Order	1275	15185-1-26.1

6. Information on which the order is based

While conducting compliance inspections on April 18, 2024 and May 7, 2024, the following safety significant deficiencies were identified:

1. In regards to Radiation Protection Regulations, Section 4 (a) (i)  
The CNSC received an email communication from the RSO of record, Majid Bamohrez, on April 4, 2024 that he ceased working for the licensee in June 2023 and is no longer serving as the RSO (CNSC Document 7255485.) In a phone conversation conducted on April 17, 2024, the Applicant Authority, Mike Arhire, communicated to the inspector that there is no current RSO and an Office Manager, Kristina Tiutiunyk, is assisting with the program. The Applicant Authority identified Ms. Tiutiunyk as the Alternate RSO. There are no records of Ms. Tiutiunyk's designation to CNSC as an Alternate RSO and no records of RSO training, despite a previous commitment to CNSC in 2023 to undertake such training.

An announced inspection was conducted on April 18, 2024, however neither Mr. Arhire nor Ms. Tiutiunyk were present and therefore the scope was limited. Inspectors reviewed a limited number of available records which showed radioactive materials were handled by three different workers between July 25, 2023 and November 20, 2023.

During a follow-up inspection conducted on May 7, 2024, for which both Mr. Arhire and Ms. Tiutiunyk were present, inspectors completed the rest of their compliance verifications and found that there is no evidence an RSO conducted training, provided dosimeters to workers or provided calibrated radiation instruments for licensed activities conducted between July 25, 2023 and November 20, 2023. There is also no evidence a trained and qualified RSO was available during this time. This was not refuted by the licensee.

During the tenure of the RSO of record and after, there is no record of licensee oversight with respect to performing internal audits.

The May 7, 2024 inspection identified repeat non-compliance with respect to prescribed radiation instrumentation in use and not being calibrated for their intended purposes.

2. In regards to Radiation Protection Regulations, Section 4 (a) (ii)  
Inspectors reviewed available records on April 18, 2024 which show radioactive materials were handled by three different workers between July 25, 2023 and November 20, 2023. There is no evidence any of these workers were trained in the licensee's procedures. There is no evidence workers have been trained in the Transportation of Dangerous Goods.

The lack of training records is a repeat finding for this licensee.

<input checked="" type="checkbox"/> Inspector	Name:	Date: (YYYY-MM-DD)
<input type="checkbox"/> Designated Officer	Jeff Fleming	2024-05-07

Signature: 



<input type="checkbox"/>	Confidential - Prescribed Information
<input checked="" type="checkbox"/>	Unclassified Information

## ADDENDUM 2

<input type="checkbox"/> Inspection report	Index no. 1275	CNSC licence no. (if applicable) 15185-1-26.1
<input checked="" type="checkbox"/> Order		

3. In regards to Radiation Protection Regulations, Section 4 (a) (iii)  
During the April 18, 2024 and May 7, 2024 inspections, no records were available to show that workers who handled radioactive materials between July 25, 2023 and November 20, 2023 had their occupational dose ascertained by the licensee, for both whole-body nor extremity doses.

Records show hand contamination monitoring has not been completed on November 18 and 20, 2023 when other records indicate the handling of open-source radioactive material on those days.

Please refer to CNSC Report Index D-15185-JF-240507-1 for additional details.

<input checked="" type="checkbox"/> Inspector	Name: Jeff Fleming	Date: (YYYY-MM-DD) 2024-05-07
<input type="checkbox"/> Designated Officer		

Signature: 