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

<b>Index no./Order no.</b> OR-15185-JF-250117-1	<b>1. CNSC licence no. (if applicable)</b> 15185-1-26.1	<b>2. Date of order (YYYY-MM-DD)</b> 2025-01-17
<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> Mihai (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 is ordered to fully decommission the licensed location at 9600 Bathurst Street, Suite 302, Vaughn ON, L6A 3Z8, previously operating as Vitalim Diagnostic Imaging. The decommissioning must be completed to the satisfaction of the CNSC by end of day, January 31, 2025.  See Addendum 1 for additional details regarding the specific decommissioning requirements.		
<input checked="" type="checkbox"/> Addenda attached		
<b>5b. This order is closed when all terms listed in 5a of this form have been fulfilled, and</b>		
The licensee has submitted to CNSC evidence supporting the completion of all of the decommissioning activities identified in Addendum 1 and the CNSC has confirmed that all of the decommissioning requirements have been met.		
<input type="checkbox"/> Addenda attached		
<b>6. Information on which order is based</b>		
See Addendum 2 for detailed information.		
<input checked="" type="checkbox"/> Addenda attached		
<b>7. Time limit for complying</b> <input type="checkbox"/> Immediately <input checked="" type="checkbox"/> Specified time (YYYY-MM-DD)    2025-01-31		

8. CNSC inspector or designated officer making the order	
Name: Jeffrey Fleming	Title: Inspector
Address: 5800 Hurontario St. Suite 10-75, Mississauga ON L5R 4B9	Email Address: jeffrey.fleming@cnscccsn.gc.ca
Telephone: 289-795-0986	Fax: (613) 995-5086
Signature: <b>Fleming, Jeffrey</b>	<small>Digitally signed by Fleming, Jeffrey  DN: C=CA, O=GC, OU=CNSC-CCSN, CN="Fleming, Jeffrey"  Reason: I am the author of this document  Location:  Date: 2025.01.17 14:21:31-05'00'  Foxit PDF Editor Version: 13.0.1</small>

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*.



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## ADDENDUM 1

<input type="checkbox"/> Inspection report	Index no. OR - 15185-JF-250117-1	CNSC licence no. (if applicable) 15185-1-26.1
<input checked="" type="checkbox"/> Order		

5a. Actions or measures required:

The requirements for the decommissioning include the following:

- Conducting a full inventory verification to determine the presence of any sealed radioactive sources that may be onsite. This includes identifying and documenting all radioactive sealed sources that may be in storage as well as any located within the licensed radiation device that is present onsite (Siemens Auto QC Gamma Camera). The inventory documentation must include the following information for each radioactive source:
  - (i) Name of manufacturer
  - (ii) Model or type of source
  - (iii) Serial number
  - (iv) Nuclear substance/isotope
  - (v) Original assay date
  - (vi) Original assayed activity in becquerels
  - (vi) Current assayed activity in becquerels
- Proper disposal of any radioactive sealed sources that are verified to be below their isotope exemption quantity as per Schedule 1 of the Nuclear Substances and Radiation Device Regulations.
- Transfer of any sealed sources that are verified to be above their isotope exemption quantity as per Schedule 1 of the Nuclear Substances and Radiation Device Regulations. The transfer must be to another CNSC licensee that is permitted to possess the radioactive source as per their licence.
- Completing a documented survey of all areas, rooms or enclosures where licensed activities have previously occurred to demonstrate that the total surface contamination (non-fixed plus fixed) for the isotopes identified on the current licence do not exceed the values listed for those isotopes in the licence appendix titled "Classes of Nuclear Substances"
  - (i) 0.3 becquerels per square centimetre (0.3 Bq/cm<sup>2</sup>) for all Class A radionuclides;
  - (ii) 3 becquerels per square centimetre (3 Bq/cm<sup>2</sup>) for all Class B radionuclides; and
  - (iii) 30 becquerels per square centimetre (30 Bq/cm<sup>2</sup>) for all Class C radionuclides; averaged over an area not exceeding 100 square centimetres
- All radiation warning signs have been removed or defaced.

<input checked="" type="checkbox"/> Inspector	Name: Jeffrey Fleming	Date: (YYYY-MM-DD) 2025-01-17
<input type="checkbox"/> Designated Officer		

Signature: **Fleming, Jeffrey**

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## ADDENDUM 2

<input type="checkbox"/> Inspection report	Index no.	CNSC licence no. (if applicable)
<input checked="" type="checkbox"/> Order	OR-15185-JF-250117-1	15185-1-26.1

6. Information on which the order is based.

-on May 7, 2024, Order 1275 was issued to 1908273 Ontario Ltd. to stop licensed activities. (CNSC Document 7279142). This order was issued following inspections that were conducted on April 18 and May 7, 2024, which identified serious and immediate health and safety concerns pertaining to the failed implementation of the radiation safety program and deficient management oversight. At the time the order was issued, no unsealed nuclear substances were present, however, some low risk, low activity sealed sources were still present in the locked hot lab as well as inside the housing of the Siemens AutoQC gamma camera. Order 1275 remains open as to date, the licensee has not provided any of the required corrective actions to close the order and re-start the licensed activities.

-on January 3, 2025, the Applicant Authority (AA), M. Arhire, informed the CNSC that the clinic was no longer operating at the licensed location. (CNSC Document 435456)

-on January 10, 2025, Inspector Jeff Fleming requested of the AA to provide an updated inventory of sources in their possession. The AA replied on January 13, 2025 that they no longer have access to the licensed location as the property owner is withholding access. The AA suggested CNSC contact the property owner directly for more information and that the AA was not in a position to assist CNSC staff with any site inspections for an "undetermined period of time". (CNSC Document 7435456)

-on January 13, 2025, Inspector Jeff Fleming spoke with Andrea Wolf, representing the property owners. They confirmed that they had taken away the licensee's access but would be very cooperative in allowing access to CNSC staff, and a licensee representative accompanying CNSC staff, for the purposes of regulatory activities at the licensed location.

-on January 16, 2025, Inspector Jeff Fleming contacted both the AA and the Representative of Applicant, Khrystyna Tiutiunyk, with a request that CNSC will likely require their assistance at the licensed location. The AA did not reply to this email. Khrystyna Tiutiunyk responded stating that she was permanently out of the country and unable to assist. (CNSC Document 7445486).

-based on the licensee representative responses received to date and considering the licensee no longer has control over the sources due to access restrictions, the order to decommission the location and bring any remaining radioactive sources under acceptable regulatory control was deemed necessary.

<input checked="" type="checkbox"/> Inspector	Name:	Date: (YYYY-MM-DD)
<input type="checkbox"/> Designated Officer	Jeffrey Fleming	2025-01-17

Signature: **Fleming, Jeffrey**

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