



CMD 25-M22 - CNSC Staff Submission

Designated Officer Program Update to the Commission: 2024

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CMD 25-M22

2024 Designated Officer Program

Update to the Commission

Signed by:

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2024 Designated Officer Program Update to the Commission

Canadian Nuclear Safety Commission

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Plain language summary

This CMD describes the status of the Designated Officer (DO) Program for the 2024 calendar year. It includes the following information:

- An overview of the DO Program, DO positions and authorities
- Changes to DO positions and authorities that occurred in 2024
- A summary of all DO authorities carried out in 2024 and of the reportable DO decisions pursuant to subsection 37(5) of the [Nuclear Safety and Control Act](#) (NSCA)
- Information about DO Program activities, such as DO training, DO Community Forum, and improvements to the DO Program
- Highlights from the Accelerators and Class II Facilities Division (ACFD) on their specific DO duties.

DOs continue to be a key part of the CNSC's regulatory framework.

In 2024, the Commission designated 2 additional DO positions in the Transport Licensing and Strategic Support Division. There were no changes to DO authorities in 2024.

A total of 3,350 DO decisions were made, including 98 decisions that subsection 37(5) of the NSCA requires to be reported to the Commission.

This report, along with quarterly memos to the Commission on reportable DO decisions, fulfills the reporting requirements to the Commission.

Based on information considered in this report, including DO Program updates and continuous improvements, CNSC staff find the Program is anchored in a strong foundation and is highly effective.

This CMD is provided for information purposes only. No action is requested of the Commission.

Referenced documents in this CMD are available to the public upon request, subject to confidentiality considerations.

1 Overview

1.1 Background

DO Program updates have been presented to the Commission annually since 2016, when the 2015 calendar year DO Program update was delivered. Since that time, updates evolved and improved to satisfy expectations of Commission members.

The primary objective of DO Program updates is to provide a report to the Commission on the authorities exercised by DOs. These updates also offer overviews of the DO positions and authorities and of the status of the DO Program. DO Program updates are provided for information purposes only.

Following the 2020 DO Program update, the Commission expressed interest in further details about how specific DOs exercise their authorities. Since then, DO Program reports included information from DOs in the Non-Proliferation and Export Controls Division, the Nuclear Substances and Radiation Devices Licensing Division, and the Personnel Certification Division.

This DO Program update provides information for the 2024 calendar year and includes reporting on all DO authorities carried out during 2024, including specific DO decisions that must be reported to the Commission, pursuant to subsection 37(5) of the NSCA.

To fulfill reporting requirements and to obtain information regarding DO activities, all DOs submitted information for the 2024 calendar year that included:

- all DO authorities carried out by them
- details about decisions for which reporting to the Commission was required pursuant to subsection 37(5) of the NSCA
- details associated with the DO orders referred to the Commission pursuant to subsection 37(6) of the NSCA, and
- details related to the issuance of administrative monetary penalties (AMPs) under section 65.05 of the NSCA.

This CMD consolidates the information obtained from DOs on their decisions made during 2024.

In addition, this DO Program update provides information on the DO positions and authorities across the CNSC and on DO Program activities. It also offers highlights from the Accelerators and Class II Facilities Division (ACFD) in the Directorate of Nuclear Substance Regulation (DNSR) on their unique DO duties.

1.2 Highlights

- This CMD, along with quarterly memos to the Commission on reportable DO decisions, fulfils the requirement to report on specific DO decisions pursuant to subsection 37(5) of the NSCA and provides reporting on all DO authorities carried out during the 2024 calendar year.
- A total of 3,350 DO decisions were made, including 98 decisions required to be reported to the Commission under subsection 37(5) of the NSCA.
- The Directorate of Nuclear Substance Regulation issued the most DO decisions, 1,653 in total, which represents 49% of the total number of decisions made.
- DOs made 3,299 licensing and certification decisions, which constitutes 98% of the total number of decisions made.

- In 2024, there were no changes to authorities that the Commission designated to DOs.
- The CNSC currently has 37 positions with DO authorities, including 2 DO positions in the Transport Licensing and Strategic Support Division (TLSSD) approved by the Commission in 2024.
- Efficient and timely training is being provided to new DOs and DOs with changes in authorities, in accordance with the DO Program requirements.
- DO Community Forums remain relevant and beneficial to DOs.
- Continuous improvement is key to the success of the DO Program.

2 CNSC Designated Officer Program

This section provides an overview of DO authorities and positions, including the 2024 update, and describes the DO Program.

2.1 Introduction

DOs have been a key part of the CNSC's regulatory framework since 2000, with the coming into force of the NSCA.

Under subsection 37(1) of the NSCA, the Commission may designate any person whom the Commission considers qualified as a DO. CNSC DOs are designated by “title of office” or position¹.

Furthermore, under subsection 37(2) and paragraph 65.01(b) of the NSCA, the Commission may authorize a DO to carry out specific authorities².

DOs can carry out designated authorities once they are indeterminately appointed to positions authorized by the Commission to have DO powers. DO authorities are not transferable. Only the Commission can designate individuals to carry out DO authorities.

DOs are provided with individualized certificates of designation that state the DO position, duties that the DO is authorized to carry out, and the validity dates of the certificate. DO certificates are signed by the President.

Appendix A, *CNSC Designated Officer Positions and Authorities*, provides the master list of the DO positions along with their corresponding authorities, as last authorized by the Commission in April 2024.

2.2 DO Authorities

The duties that a DO may be authorized to carry out are listed below by the paragraphs of the NSCA:

- 37(2)(a): certify and decertify prescribed equipment for the purposes of the NSCA
- 37(2)(b): certify and decertify persons referred to in paragraph 44(1)(k) as qualified to carry out their duties under the NSCA or the duties of their employment, as the case may be
- 37(2)(c): issue, on receipt of an application referred to in subsection 24(2), a licence of a class established by the Commission
- 37(2)(d): renew, suspend in whole or in part, amend, revoke or replace, or authorize the transfer of, upon receipt of an application referred to in subsection 24(2), a licence of a class established by the Commission
- 37(2)(e): designate any person whom the designated officer considers qualified as an analyst under section 28 or as an inspector under subsection 29(1)
- 37(2)(f): make any order that an inspector may make under subsection 35(1) or (2)
- 37(2)(g): confirm, amend, revoke or replace any order made by an inspector
- 37(2)(h): authorize the return to work of persons whose dose of radiation has or may have exceeded the prescribed radiation dose limits

¹ Subsection 2.3 of this CMD provides more information on DO positions.

² Subsection 2.2 of this CMD provides more information on DO authorities.

- 65.05: If a person designated under paragraph 65.01(b) believes on reasonable grounds that a person has committed a violation, the designated person may issue a notice of violation and cause it to be served on the person (issue notices of violation).

Because of the statutory powers held by DOs, decisions made by a DO are equivalent to those made by the Commission. DO decisions are independent.

DOs carry out more than 95% of CNSC licensing decisions. These decisions generally include the lower risk licensing of nuclear substances and radiation devices, import and export licences, and licences for less complex facilities.

Decisions that would generate public interest, including the licensing of complex facilities such as nuclear power plants, remain with the Commission.

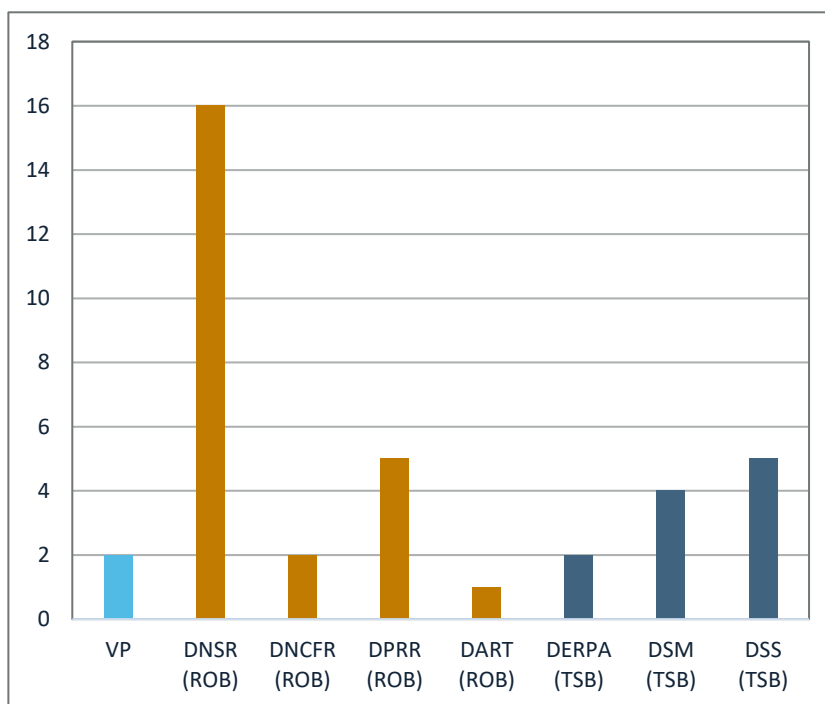
There were no changes to DO authorities in 2024.

2.3 DO Positions

The CNSC currently has 37 positions with DO authorities. At the time of the preparation of this CMD, 1 DO position was vacant.

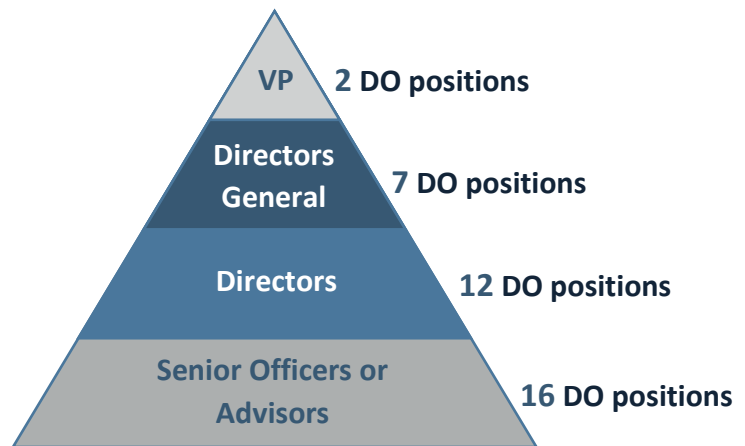
The distribution of DO positions across the Regulatory Operations Branch (ROB) and the Technical Support Branch (TSB) is provided in Chart 1 below.

Chart 1. Number of DO Positions by Directorate³



³ Section 8 of this CMD explains acronyms on this chart.

The scope of a DO's authorities reflects the operational responsibilities of the designated position. As depicted in Appendix A and illustrated by the graphic on the right, DOs in more senior positions – such as Directors General (DG) – have more authorities than DOs in less senior positions – such as Senior Offices or Advisors. The Executive Vice-President and Chief Regulatory Operations Officer (EVP and CROO) of ROB and the Vice-President and Chief Science Officer (VP and CSO) of TSB have all the authorities of the DOs in their respective Branch. This “pyramid style” allocation of DO authorities ensures continuity of operations. Should a DO be unable to carry out their authorities, a DO at a higher level in the same directorate, or either the EVP and CROO or the VP and CSO, could carry out the authority.



This continuity is especially important because, although the Commission designates DO positions, the Commission also authorizes DOs in those positions by name to carry out statutory powers under the NSCA. Furthermore, DOs make decisions based on the mandate and the expertise of their directorate or division. As such, DO authorities are not transferable between CNSC staff.

In 2024, there were 10 staffing changes within the designated positions at the senior staff, directors, DGs, and VP levels due to employment changes in DNSR, Directorate of Nuclear Cycle and Facilities Regulation (DNCFR), Directorate of Power Reactor Regulation (DPRR), Directorate of Environmental and Radiation Protection and Assessment (DERPA), Directorate of Security and Safeguards (DSS), and TSB VP office. Additionally, in 2024 the Commission designated 2 additional Senior Certification Engineer positions in the TLSSD, DNSR, as DOs positions by title of office.

2.4 DO Program Overview

CNSC established a DO Program to support DOs and the Commission. The Commission Registry is responsible for the implementation of the DO Program.

The CNSC DO Program provides DOs with training, assistance, tools, and resources to support them in making independent, effective, consistent, and transparent decisions.

The DO Program also supports DOs and the Commission by:

- Overseeing the issuance of DO certificates
- Managing the Commission approvals of changes to DO positions and authorities
- Ensuring compliance with reporting obligations on DO decision-making to the Commission by providing annual DO Program updates and quarterly memos.

Further details on the activities of the DO Program can be found in Appendix B of this CMD.

The Commission Registry maintains records for the DO Program, including:

- The list of positions designated by the Commission
- The authorities that the Commission has granted DOs to carry out, and
- The status of DO certification and training.

3 Designated Officer Decisions – 2024

This section provides an overview of authorities carried out by CNSC DOs during 2024.

3.1 All DO Authorities Carried Out During 2024

3.1.1 Introduction

This subsection provides a summary of DO authorities carried out under subsection 37(2) and section 65.05 of the NSCA. Although not all these decisions are required to be reported under the NSCA, information is provided annually to ensure that the Commission has an in-depth understanding about the authorities carried out by CNSC DOs in respect of licensing, certification, compliance and other regulatory activities.

Table 1 provides an overview of DO authorities carried out by DOs during 2024. Further details are provided in Appendix C, including specific authorities carried out by DOs in each directorate, historical trends, and information on notable decisions, such as AMPs and DO orders.

Table 1. Authorities carried out by DOs during 2024

Title of Office / Division	Designated Officer Authorities carried out under NSCA 37(2) and 65.05									
	37(2)								65.05	Total
	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)		
Executive VP of Regulatory Operations Branch and Chief Regulatory Operations Officer										0
Director General, Directorate of Nuclear Substance Regulation					13		3		4	20
Accelerators and Class II Facilities Division		18	40	221						279
Nuclear Substances and Radiation Devices Licensing Division			72	1186			1			1259
Transport Licensing and Strategic Support Division	56		36							92
Operations Inspection Division							3			3
Director General, Directorate of Nuclear Cycle and Facilities Regulation				3	12	1			2	18
Canadian Nuclear Laboratories Regulatory Program Division										0
Director General, Directorate of Power Reactors Regulation					8					8
Director General, Directorate of Advanced Reactor Technologies										0
VP of Technical Support Branch and Chief Science Officer										0
Director General, Directorate of Environmental and Radiation Protection and Assessment				7	1					8
Radiation Protection Division										0
Director General, Directorate of Safety Management		12								12
Personnel Certification Division		550								550
Director General, Directorate of Security and Safeguards					3					3
Non-Proliferation and Export Controls Division			842	256						1098
Total	56	580	990	1673	37	1	7	0	6	3350

Notes:

- Each column represents a different DO duty, as defined by the NSCA, and each row represents a different position or the DOs within a division
- The green cells represent authorized duties
- The grey cells represent duties that are not authorized
- White cells contain the number of times a specific duty was carried out in 2024
- Blue cells provide a total for the applicable row or column.

3.1.2 Summary of DO Authorities Carried Out

DOs carried out a total of 3,350 authorities in 2024.

The three most common authorities carried out were:

- 580 certifications of persons, such as a Radiation Safety Officer, under 37(2)(b)
- 990 issuances of a licence, such as an import or export licence, under 37(2)(c)
- 1,673 renewed, amended, revoked, or transferred licences, under 37(2)(d).

Other decisions made by DOs include:

- 56 certifications of prescribed equipment, under 37(2)(a)
- 36 designations of inspectors and 1 designation of an analyst, under 37(2)(e)
- 1 DO order, under 37(2)(f)
- 7 confirmations of inspector orders, under 37(2)(g)
- 6 Administrative Monetary Penalties (AMPs), under 65.05.

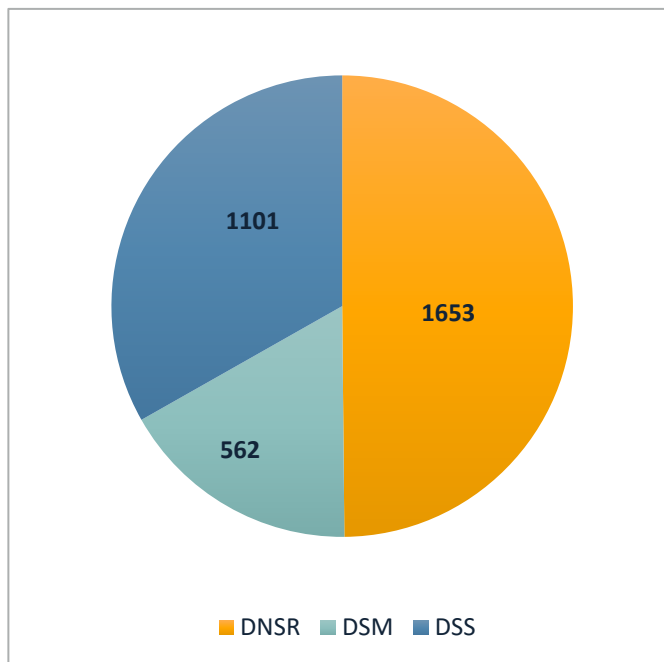
Of the 6 AMPs issued during 2024, 2 were reviewed by the Commission following requests made by the licensees, 2024-AMP-04 and 2024-AMP-06. For 2024-AMP-04, the Commission determined that the violation was committed and that the amount of the penalty was consistent with the regulations. When this CMD was prepared, the Commission had not yet issued its determination with respect to 2024-AMP-06. Penalties for the other 5 AMPs were paid.

One order issued by a DO was referred to the Commission, pursuant to subsection 37(6) of the NSCA. The Commission amended the order to clarify the requirements for the financial guarantee.

The CNSC's external website has a comprehensive [Regulatory actions](#) page, which provides the public with information on issued AMPs and orders.

Chart 2 below provides information about the number of authorities carried out by the three directorates that made the most DO decisions in 2024, DNSR, DSS, and Directorate of Safety Management (DSM). The remaining four directorates with DO authorities collectively carried out 34 authorities. However, this must not be taken as an indicator of the requirement for DO positions at the CNSC. There are specific authorities under subsection 37(2) of the NSCA unique to the expertise of the staff in each directorate, such as return to work authorizations by the Radiation Protection Division. It is the specialized expertise of each directorate, and not necessarily the number of expected authorities, that determines the need for DOs.

Chart 2. Number of authorities carried out by directorates that made the most DO decisions in 2024



3.2 DO Decisions Reportable to the Commission Pursuant to Subsection 37(5) of the NSCA

Pursuant to subsection 37(5) of the NSCA, certain DO decisions are required to be reported to the Commission. These DO decisions deal with safety significant issues or have a substantive impact on the proponent and include⁴:

- 37(5)(a): a refusal by the designated officer to issue, renew, suspend, amend, revoke, or replace a licence or authorize its transfer
- 37(5)(b): the issuance by the designated officer of a licence that contains the condition that the applicant provide a financial guarantee referred to in subsection 24(5)
- 37(5)(c): a renewal of a licence where the terms or conditions of the licence are amended, or a suspension, amendment, revocation or replacement of a licence, other than an amendment of terms or conditions or a suspension, amendment, revocation or replacement made on the application, or with the consent, of the licensee
- 37(5)(d): a confirmation, amendment, revocation, or replacement of an order made by an inspector.

The Commission Registry provides the Commission with timely information on reportable decisions through quarterly memos⁵. DO decisions reportable under paragraph 37(5)(b) – new licences with financial

⁴ For DO decisions that must be reported under paragraphs 37(5)(a), (c), and (d), the DOs provided an opportunity to be heard to the licensee or applicant.

⁵ In 2024, Commission members had no questions on the quarterly memos.

guarantees – are currently not included in these quarterly memos. This CMD, in addition to the quarterly memos, fulfils the reporting requirements for all DO decisions made during 2024.

DOs made 98 decisions reportable to the Commission in 2024. Specifically,

- DOs in the Non-Proliferation and Export Controls Division refused to issue 3 export licences on the basis that the proposed export would be inconsistent with Canada’s international obligations on nuclear non-proliferation (NSCA paragraph 37(5)(a))
- DOs in the Directorate of Nuclear Substance Regulation issued 88 licences with a financial guarantee (NSCA paragraph 37(5)(b))
- DOs in the Directorate of Nuclear Substance Regulation confirmed 7 inspector orders (NSCA paragraph 37(5)(d))

DOs made no decisions under NSCA paragraph 37(5)(c).

More detailed information on these DO decisions is available in Appendix D.

4 DO Program Updates and Improvements

4.1 Training Updates

In 2024, there were 12 DO changes due to 10 staffing changes for positions with DO authorities and 2 additional DO positions in TLSSD designated by the Commission. As part of these changes, timely and relevant training was provided to the incumbents through the DO Program. DO Program training is explained in Appendix B of this CMD.

4.2 DO Community Forum

The DO Community Forum is one of the main activities of the DO Program. The forums have taken place since 2018 and are a venue for DOs to share their knowledge and experience, further strengthen relationships within the Community, and obtain up-to-date information about the tools and assistance available to them.

The seventh DO Community Forum took place virtually on September 19, 2024.

At this forum, Legal Services provided a refresher on the DO's role under the NSCA, considerations for decision-making, requirements for reporting to the Commission, and what the opportunity to be heard means in relation to DO decisions.

Moreover, DOs exchanged ideas and best practices pertaining to the CNSC's process for designating inspectors and discussed the benefits of having a well-established Inspector Training and Qualification Program. Appendix E depicts the agenda of the forum.

In a post-forum survey, DOs indicated that the virtual forums continue to work well and allow DOs to actively share experiences and exchange ideas. DOs also highlighted the value of case studies and expressed an interest in discussing the role of the Commission related to DO decisions.



4.3 Improvements to the DO Program

Several continuous improvements to the DO Program were undertaken during 2024, including:

- Implementation of a more efficient approach for issuing DO certificates.

Before January 2024, DO certificates were renewed after 5 years from the date the previous certificates were issued. Starting January 2024, it was clarified that DO certificates remain valid while DOs occupy the same position and there is no change to the authorized duties of the position. The implementation of this clarified approach allowed more efficient use of resources, as time-consuming tasks for the preparation, review and approval of DO certification packages were reduced.

- Application of a streamlined approach for designation of persons acting in positions with DO authorities.

The approach was clarified in January 2024, presented at the Commission meeting on May 22, 2024 [ref. 4], and implemented during 2024. This allowed a more effective and efficient designation of individuals who are acting in positions authorised by the Commission to have DO duties.

- Improved timelines for approvals of changes to DO positions by the Commission through the application of a consistent and efficient approach and templates.
- Development of an upgraded DO Community internal webpage.

5 Focus Area - Accelerators and Class II Facilities Division

5.1 Overview of Division

The Accelerators and Class II Facilities Division (ACFD) is one of 4 divisions in the Directorate of Nuclear Substance Regulation. ACFD is responsible for licensing and compliance of Class II facilities and equipment, and the certification of Radiation Safety Officers (RSOs) at those facilities. The [Class II Nuclear Facilities and Prescribed Equipment Regulations](#) (Class II Regulations) are the key regulation that defines Class II facilities and their requirements, including the appointment of a certified RSO.

Class II facilities include:

- medical accelerators and source-based equipment used for radiation therapy of humans and animals
- industrial facilities that use particle accelerators to perform elemental assays or take images of large objects such as tractor trailers
- cyclotrons used to produce medical isotopes
- pool type or elinac irradiators used to sterilize medical equipment, foods or cannabis
- particle accelerators in academic settings that are used take images of samples or irradiate samples to study the effects of radiation.

5.2 Summary of DO Positions and Decisions in ACFD

ACFD currently has 4 positions designated as DOs: 3 Senior Project Officers and the ACFD Director.

All ACFD DOs have the authority to issue a Class II licence and to renew, suspend, revoke, replace or authorize a transfer of Class II licences (paragraphs 37(2)(c) and (d) of the NSCA). In addition, the ACFD Director has the authorities to certify and decertify persons referred to in paragraph 44(1)(k) as qualified to carry out their duties, make any order that an inspection may make under subsection 35(1) or (2), and confirm, amend, revoke or replace any order made by an inspector.

In 2024, ACFD made decisions related to sections 37(2)(b), 37(2)(c), and 37(2)(d) of the NSCA. Table 2 provides the summary of ACFD DO decisions made in 2024.

Table 2. ACFD DO Decisions made during 2024

DO Decisions	Number of Decisions
Licensing – issue a licence	40
Licensing – renew, suspend, revoke, replace, transfer a licence	221
Certification of Persons	18
Refusal to Certify Persons	1
Decertification of Persons	0

Subsections below provide further explanations about ACFD DO decisions regarding certification of persons and licensing.

5.3 Certification of Persons

The Class II Regulations require that each licensee that operates a Class II nuclear facility appoint a Radiation Safety Officer who has been certified by the Commission or a DO. The ACFD Director considers the candidate's qualifications, the facility type, and the results of the examination to make their decision. Ultimately, the DO must decide if the person can perform the duties of the position.

A refusal to certify is made based on the considerations outlined above.

When the decision to refuse to certify is made, the DO sends a letter notifying the applicant of the intent to refuse certification and providing them with the opportunity to be heard. Refusals to certify are reported annually through the DO Program report to the Commission.

In 2024, the CNSC certified 18 RSOs which is a decrease over the 20 RSOs certified in 2023. As in 2023, no RSOs were decertified in 2024. In 2024, CNSC staff refused to certify 1 RSO applicant. The DO based their refusal on the results of the certification examination.

5.4 Licensing Decisions

During any licensing decision, ACFD DOs consider the applicant's request, their compliance history, the technical assessment of the licensee's facility and program, and the safety case of the request. A DO must be satisfied that the licensee is qualified and will make adequate provision for the protection of the environment, the health and safety of persons, and Canada's international obligations.

Licences are issued by a DO for the construction, operation and decommissioning of Class II equipment or facilities. When a licensee is ready to move to the next phase, at the time their new licence is issued, the previous licence is also revoked. Licences are also issued for the servicing of Class II prescribed equipment. Licence transfers take place when there is a change in the legal entity that holds the licence.

5.5 Current Challenges

Class II facilities in the medical sector remove and replace Class II equipment relatively frequently (on the order of every 10 years). When an accelerator is replaced with a new one, the equipment must first be decommissioned, new equipment is installed and commissioned, and then there is a return to regular operation. Each step described above involves a licensing action. Therefore, each accelerator replacement requires a minimum of 5 DO decisions: four licensing decisions (removal of the equipment from the operating licence, decommissioning, operate to commission, operation), and the revocation of the decommissioning licence. If construction is performed to the bunker (treatment room), a construction licence and associated revocation are also required. Given that most cancer centres include multiple accelerators, and that a wave of facilities all built around the 2010's have started to undergo replacement of all their accelerators, there was a need to focus regulatory efforts on Class II equipment changes where there may be an impact on safety.

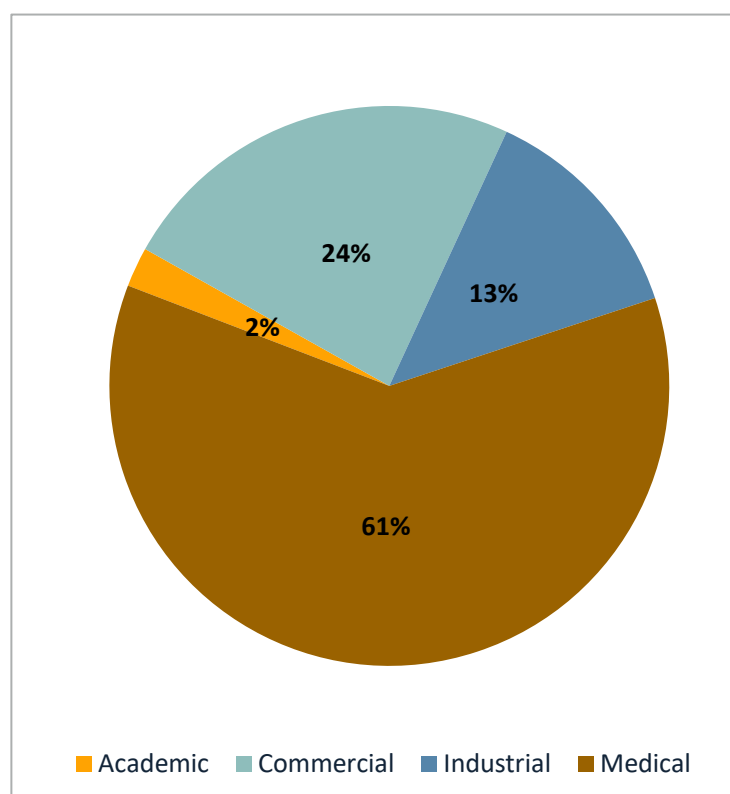
Therefore, in 2021, ACFD DOs started to issue lifecycle licences for medical use types on a trial basis. This new licence permits operation (for commissioning and routine operation) and decommissioning of select Class II radiotherapy equipment. The machine being replaced must be the same type with equal or lower energy, the location within the room must remain the same and no room modifications to shielding are performed. The

trial showed that safety is maintained, there is a reduction in license transactions, and the focus can remain on facility changes where there could be impacts to safety, such as when there is an increase in energy, a different type of equipment, or the facility is being modified. Lifecycle licences are now encouraged for all medical radiotherapy licensees. As of January 2025, there are 23 lifecycle licences and 29 radiotherapy operating licenses in the medical sector.

Despite the lifecycle licences that have been issued, in 2024, medical licences still accounted for 61% of the licensing decisions, and 44% of ACFD's total licences. See Chart 3 below showing the proportion of DO decisions per sector in ACFD.

While CNSC expected medical sector licenses to be consolidated into lifecycle licences, CNSC does not expect the number of decisions per year to decrease as there is a projected increase in the number of new Class II facilities in Canada to further support cancer and medical treatment advances.

Chart 3. Proportion of ACFD DO decisions by Sector – 2024



5.6 Conclusions for the ACFD DO Decisions

- Licensing and personnel certification DO decisions in ACFD are made safely with due regard for the protection of the environment, the health and safety of persons, and Canada's international obligations.
- Refusal to certify a person continues to be a rare event, with only one 1 refusal in 2024.
- As the number of lifecycle licences issued by DOs in ACFD continue to increase, the number of licensing decisions related to medical sector licensees will decrease.

6 Overall Conclusions

- With this report, along with quarterly memos to the Commission, the requirement to report to the Commission on the DO decisions made pursuant to subsection 37(5) of the NSCA is fulfilled for the 2024 calendar year.
- During 2024, DOs carried out 3,350 authorities, including 98 decisions that are required to be reported to the Commission pursuant to subsection 37(5) of the NSCA.
- DOs in DNSR, DSS and DSM made 3,316 decisions, which constitutes 98% of the total number of decisions made.
- DOs carried out 3,299 licensing and compliance authorities, which represents 98% of the total number of authorities carried out.
- There were no changes to DO authorities in 2024.
- The CNSC currently has 37 positions with DO authorities, including 2 additional Senior Certification Engineer positions in the TLSSD that the Commission designated in 2024.
- Timely and relevant training has been provided to new DOs and DOs with changes in authorities.
- DO Community Forums continue to satisfy their objectives and DO expectations.
- Continuous improvement continues to be key to the success of the DO Program.

7 References

1. [*Nuclear Safety and Control Act*](#) (S.C. 1997, c. 9)
2. Designated Officer Positions and Authorities. E-doc 7058289
3. [*Regulatory actions*](#). CNSC external webpage with regulatory actions on AMPs and orders
4. CMD 24-M14 – Presentation from CNSC Staff – Update on the Designated Officer Program: 2023. E-doc 7240473
5. [*Class II Nuclear Facilities and Prescribed Equipment Regulations*](#) (SOR/2000-205)
6. [*Canadian Nuclear Safety Commission Rules of Procedure*](#) (SOR/2000-211)

8 Acronym List

AMP	Administrative Monetary Penalty
ACFD	Accelerators and Class II Facilities Division
CMD	Commission Member Document
CNSC	Canadian Nuclear Safety Commission
DART	Directorate of Advanced Reactor Technologies
DERPA	Directorate of Environmental and Radiation Protection and Assessment
DG	Directors General
DNCFR	Directorate of Nuclear Cycle and Facilities Regulation
DNSR	Directorate of Nuclear Substance Regulation
DO	Designated officer
DPRR	Directorate of Power Reactor Regulation
DSM	Directorate of Safety Management
DSS	Directorate of Security and Safeguards
EVP and CROO	Executive Vice-President and Chief Regulatory Operations Officer
LCAB	Legal and Commission Affairs Branch
NSCA	Nuclear Safety and Control Act
OID	Operations Inspection Division
ROB	Regulatory Operations Branch
RSO	Radiation Safety Officer
TLSSD	Transport Licensing and Strategic Support Division
TSB	Technical Support Branch
VP and CSO	Vice-President and Chief Science Officer

Appendix A: Designated Officer Positions and Authorities

Table below lists the 37 DO positions and corresponding authorities at the CNSC, as designated by the Commission in April 2024.

	Authorities →		References to Sections of the <i>Nuclear Safety and Control Act</i>	Certify and decertify prescribed equipment for the purposes of the Act	Certify and decertify persons referred to in paragraph 44(1)(k) as qualified to carry out their duties under the Act or the duties of their employment as the case may be	Issue, on receipt of an application referred to in subsection 24(2), a licence of a class established by the Commission ¹	Renew, suspend in whole or in part, amend, revoke or replace, or authorize the transfer of, upon receipt of an application referred to in subsection 24(2), a licence of class established by the Commission ¹	Designate any person whom the designated officer considers qualified as an inspector under subsection 29(1)	Designate any person whom the designated officer considers qualified as an analyst under section 28 ²	Make any order that an inspector may make under subsection 35(1) or (2)	Confirm, amend, revoke or replace any order made by an inspector	Authorize the return to work of persons whose dose of radiation has or may have exceeded the prescribed radiation dose limits	Issue notices of violations (related to Administrative Monetary Penalties)	
	Title of Office ↓													
				37(2)(a)	37(2)(b)	37(2)(c)	37(2)(d)	37(2)(e)	37(2)(e)	37(2)(f)	37(2)(g)	37(2)(h)	65.05	
REGULATORY OPERATIONS BRANCH	Executive VP and Chief Regulatory Operations Officer Regulatory Operations Branch			✓	✓	✓	✓	✓		✓	✓	✓	✓	
	Director General Directorate of Nuclear Substance Regulation			✓	◆	◆	◆	◆		◆	◆		◆	
	Director Accelerators and Class II Facilities Division			✓	◆◆	◆◆	◆◆			◆	◆			
	Senior Project Officer/Senior Program Officer (maximum 3 REG7 positions) Accelerators and Class II Facilities Division					◆◆	◆◆							
	Director Nuclear Substances and Radiation Devices Licensing Division					◆◆	◆◆			◆	◆			
	Licensing Project Officer (maximum 4 REG7 positions) Nuclear Substances and Radiation Devices Licensing Division					◆◆	◆◆							
	Director Transport Licensing and Strategic Support Division			✓		◆◆	◆◆			◆	◆			
	Senior Certification Engineer (maximum 4 REG7 positions) Transport Licensing and Strategic Support Division			◆◆		◆◆	◆◆							
	Director Operations Inspection Division									◆	◆			
	Director General Directorate of Nuclear Cycle and Facilities Regulation					◆	◆	◆		◆	◆		◆	
	Director Canadian Nuclear Laboratories Regulatory Program Division									◆◆				
	Director General Directorate of Power Reactor Regulation							◆		◆	◆		◆	
	Director Bruce Regulatory Program Division									◆◆				
	Director Pickering Regulatory Program Division									◆◆				
	Director Darlington Regulatory Program Division									◆◆				
	Director Point Lepreau Regulatory Program Division									◆◆				
	Director General Directorate of Advanced Reactor Technologies							◆		◆	◆		◆	
	TECHNICAL SUPPORT BRANCH	Vice-President and Chief Science Officer Technical Support Branch				✓	✓	✓	✓	✓	✓	✓	✓	✓
		Director General Directorate of Environmental and Radiation Protection and Assessment					◆	◆	◆	✓	◆	◆	✓	◆
		Director Radiation Protection Division											✓	
		Director General Directorate of Safety Management				◆					◆	◆		◆
		Director Personnel Certification Division				◆◆ *								
		Senior Examination and Certification Officer (maximum 2 REG7 positions) Personnel Certification Division				◆◆ **								
Director General Directorate of Security and Safeguards					◆	◆	◆		◆	◆		◆		
Director Non-Proliferation and Export Controls Division					◆◆	◆◆								
Senior Advisor (maximum 3 REG7 positions) Non-Proliferation and Export Controls Division					◆◆	◆◆								
Legend		✓ Fully authorized	◆ Authority restricted to the directorate's licensing and certification mandate	◆◆ Authority restricted to the division's licensing and certification mandate				*Decertification of Nuclear Power Plant operator(s) will only be carried out by the designated DGs and VPs						
¹Classes of licences as defined in the Commission's February 26, 2019 Record of Decision, e-Doc 5791829														

Appendix B: Designated Officer Program Components

DO Program Activities and Tools include:

- DO Program training
- Program and process documents
- DO certification
- Commission approvals of changes to DO positions and authorities
- CNSC DO Community Webpage: Main tool of the Program
 - Contains existing Program and process documents for all DO authorities, contacts, links to other tools of the DO Program
- DO Community Forum
 - Provides DOs with a venue for sharing knowledge, expertise, experiences; further strengthening the relationship between members of the DO Community; obtaining updates and offering DOs feedback on the DO Program
- DO Program Outlook Mailbox
 - Facilitates the gathering of information about the DO Program
- DO Program reports to the Commission, DO decision tracking
- Access to internal Legal Services / LCAB.

DO Program Training includes:

- Self-directed learning using the internal CNSC DO Community Webpage
- Briefing with the VP-LCAB or designate on applicable legislation, DO decision-making, DO authorities and DO certificate
- Briefing with the DO Program lead on DO training activities, tools and resources available to DOs when carrying out DO authorities and on expectations for DOs
- On-the-job learning of operational matters, mentorship by existing DOs, peer consultations
- In-class training on DO orders.

The DO Program ensures that DOs continue to have the knowledge and tools needed to perform their duties

Appendix C: DO Authorities Carried Out During 2024

DO Decisions by the Type of Regulatory Activity

The breakdown of DO decisions by the type of regulatory activity for each directorate is described below.

3,299 licensing and certification authorities carried out in 2024:

- 1,629 decisions made by DNSR DOs
 - 148 licences issued
 - 363 licences renewed
 - 813 licences amended
 - 132 licences revoked
 - 99 licences transferred
 - 56 prescribed equipment certificates granted
 - 18 personnel certificates granted
- 1,098 decisions made by DSS DOs
 - 842 licences issued
 - 256 licences amended or revoked
- 562 personnel certificates granted by DSM DOs
- 7 licences renewed or amended by DERPA DO
- 3 licences renewed or amended by DNCFR DO

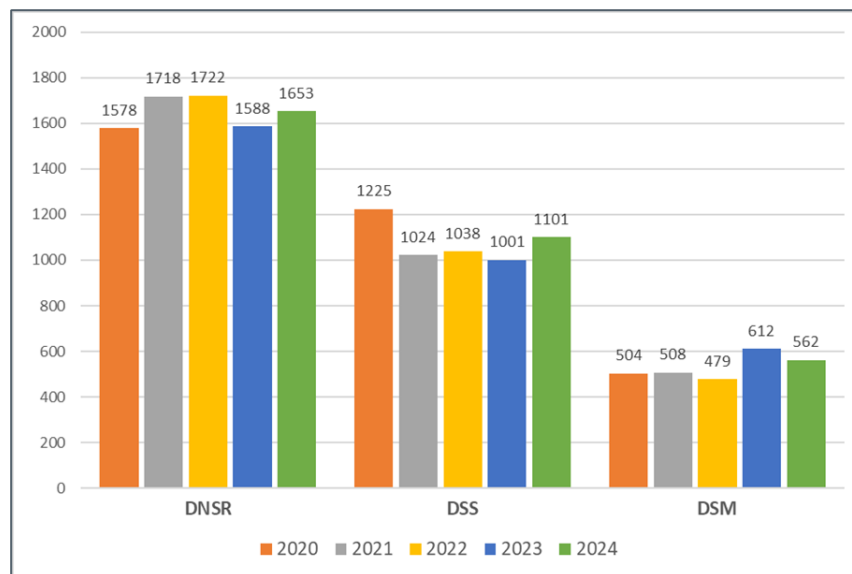
51 non-licensing/certification authorities carried out in 2024:

- 13 inspector designations, 7 inspector order confirmations, and 4 AMPs issued by DNSR DOs
- 12 inspector designations, 1 DO order, and 2 AMPs issued by DNCFR DO
- 8 inspectors designated by DPRR DO
- 3 inspectors designated by DSS DO
- 1 analyst designated by DERPA DO

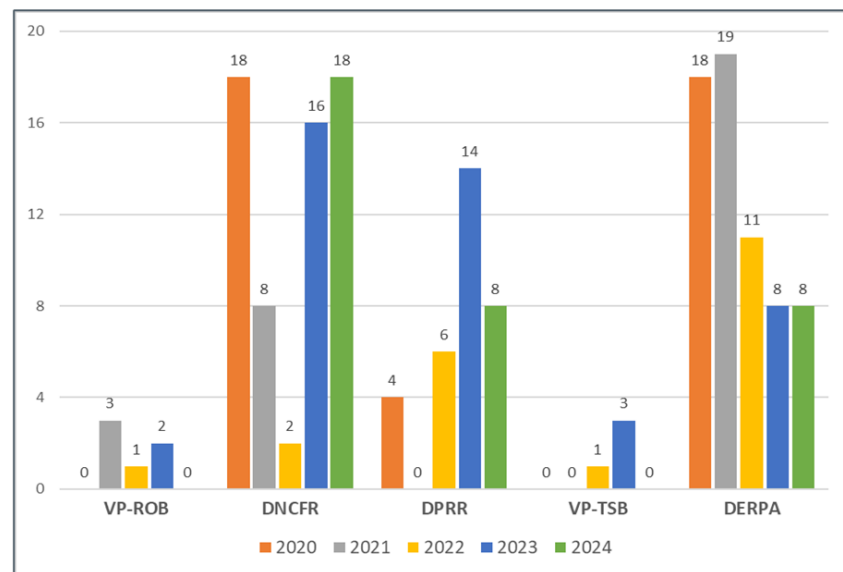
DO Authorities Carried Out Year-over-Year

Graphs below provide a comparison of the number of DO authorities carried out for each of the last 5 years, from 2020 to 2024, grouped by directorate.

Number of DO authorities carried out by directorates with the most DO decisions:



Number of DO authorities carried out by remaining three directorates and VPs:



It is important to note that these totals reflect industry activities. Given the number of licensees, no meaningful trends can be inferred, nor can this data be used to predict future activity.

Notable DO Authorities – AMPs and DO Orders

While reporting on AMPs and orders made by DOs is not a requirement of the NSCA, the issuance of AMPs and DO orders may be of interest due to their high profile and potentially notable impact on licensees.

The table below contains detailed information on DO authorities carried out under section 65.05 of the NSCA (AMPs) in 2024.

AMP #	DO	Date of Issue	Licensee	Penalty Amount	Date of Review	Outcome of Review	Payment Receipt
2024-AMP-01	DNSR DG	02-Feb-24	An individual	\$10,000	N/A	N/A	01-Mar-24
2024-AMP-02	DNCFR DG	14-Mar-24	Cameco Corporation	\$3,310	N/A	N/A	27-Mar-24
2024-AMP-03	DNSR DG	18-Jun-24	Thompson Creek Metals Company Inc.	\$1,000	N/A	N/A	26-Jun-24
2024-AMP-04	DNSR DG	25-Jun-24	JLP Services Inc.	\$3,730	10-Dec-24	Commission determined that the violation was committed and that the amount of the penalty accorded with the regulations – Commission decision made on December 10, 2024. e-Doc 7432696	02-Jan-25
2024-AMP-05	DNSR DG	30-Aug-24	Construction DJL Inc./DJL Construction Inc.	\$9,190	N/A	N/A	11-Sep-24
2024-AMP-06	DNCFR DG	12-Dec-24	NexGen Energy Ltd.	\$29,080	08-Apr-25	Commission determination had not yet issued at the time of the CMD preparation	To be determined (status is at the time of the CMD preparation)

Table below contains detailed information on DO authorities carried out under paragraph 37(2)(f) of the NSCA (orders made by DOs) in 2024.

Order #	DO Position	Date of Issue	Licensee	Issue	Date of Review	Outcome of Review
7396415	DNCFR DG	06-Nov-24	Best Theratronics Ltd.	Non-compliance with licence condition for financial guarantee for decommissioning. e-Doc 7396415	14-Feb-24	Commission amended the order to clarify the requirements for the financial guarantee. e-Doc 7465108

Table below indicates the total number of AMPs and DO orders issued each year since 2020.

DO Decision	2020	2021	2022	2023	2024
AMPs	2	1	1	5	6
DO Orders	0	3	0	1	1

Appendix D: DO Decisions Reportable to the Commission - 2024

Tables below provide detailed information on DO decisions reportable to the Commission pursuant to subsection 37(5) of the NSCA.

Note: no DO decisions under 37(5)(c) were made during 2024.

37(5)(a):

DO Decisions	Opportunity to be Heard
DO in the Non-Proliferation and Export Controls Division refused to issue 3 export licences on the basis that the proposed export would be inconsistent with the measures which Canada has adopted with respect to the implementation of Canada's international obligations on the non-proliferation of nuclear weapons or other nuclear explosive devices.	Licensees did not exercise their right of the opportunity to be heard provided by the DO pursuant to paragraph 39(1)(a) of the NSCA and Rules 26 and 27 of the Canadian Nuclear Safety Commission Rules of Procedure and did not provide additional information since the licence application.

37(5)(b):

<p>88 licences with financial guarantee issued by DOs in the Directorate of Nuclear Substance Regulation:</p> <ul style="list-style-type: none"> 30 by DOs in the Accelerators and Class II Facilities Division 58 by DOs in the Nuclear Substances and Radiation Devices Licensing Division

37(5)(d): 7 inspector orders confirmed

by DOs in the Directorate of Nuclear Substance Regulation

Date of DO Decision	Licensee	DO Position	Authority: Decision	Notes
2024-06-04	1908273 Ontario Ltd.	Director of Operations Inspection Division (OID)	37(2)(g): Confirm inspector order	<p>Order No. 1275:</p> <p>Generally, this order requires that 1908273 Ontario Ltd. keep all sealed radioactive sources currently in their possession in secure storage. The licensee is prohibited from using, transferring, importing or exporting radioactive materials until such time they can demonstrate to the satisfaction of the CNSC that management control of the radiation protection program is effectively implemented as required under paragraphs 4(a)(i) to 4(a)(iii) of the <i>Radiation Protection Regulations</i>.</p> <p>Licensee informed the DO that they did not contest the non-compliances outlined in the order and that they did not intend to seek an opportunity to be heard provided pursuant to paragraph 39(1)(c) of the NSCA and subrule 34(2) of the <i>Canadian Nuclear Safety Commission Rules of Procedure</i>.</p>
2024-06-21	C. Villeneuve Construction Co. Ltd.	Director of OID	37(2)(g): Confirm inspector order	<p>Order No. 1264:</p> <p>Generally, this order requires that C. Villeneuve Construction Co. Ltd. immediately remove the worker from all activities involving radiation devices as identified in the licence until it can be demonstrated to the satisfaction of the CNSC that the worker has been retrained and requalified with regards to their regulatory obligations and the licensee's internal procedures, as appended to the licence and referenced as CNSC Document Number 6262774, pertaining to the safe use, handling and security of radiation devices. In addition, the licensee must provide the CNSC with evidence that they have taken immediate steps to prevent untrained and unauthorized workers from performing licensed activities with radiation devices until such time that CNSC staff is satisfied with the corrective actions implemented by the licensee to address the violation as stated in section 5(a) of the order. As part of the corrective actions, the licensee must provide a written review of the circumstances which led to this violation, including the specific steps they have taken to prevent reoccurrence.</p> <p>Licensee informed the DO that they did not contest the non-compliances outlined in the order and that they did not intend to seek an opportunity to be heard provided pursuant to paragraph 39(1)(c) of the NSCA and subrule 34(2) of the <i>Canadian Nuclear Safety Commission Rules of Procedure</i>.</p>
2024-09-11	Accurate Materials Testing Ltd.	Director of OID	37(2)(g): Confirm inspector order	<p>Order 0494:</p> <p>This order prohibits the licensee from transporting and using any portable gauges under the CNSC licence that is issued to them until such time that the licensee can demonstrate to the satisfaction of the CNSC that:</p> <ol style="list-style-type: none"> 1) the Radiation Safety Program has been effectively implemented, and is satisfactorily managed by a person with sufficient knowledge, time and resources; 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. <p>Licensee did not exercise its right of the opportunity to be heard provided by the DO pursuant to paragraph 39(1)(c) of the NSCA and subrule 34(2) of the <i>Canadian Nuclear Safety Commission Rules of Procedure</i>.</p>

2024 Designated Officer Program Update to the Commission

Date of DO Decision	Licensee	DO Position	Authority: Decision	Notes
2024-09-13	Metro Testing & Engineering Ltd.	Director of Nuclear Substances and Radiation Devices Licensing Division	37(2)(g): Confirm inspector order	<p>Order 1010:</p> <p>Generally, this order requires that the worker's authorization to use the nuclear gauges be revoked until the licensee has demonstrated that the worker possesses sufficient training and experience to resume working safely with the device. The licensee must also review and verify that its training program is sufficient to ensure that workers understand their obligations and how to maintain security of the device while in transport and in operation.</p> <p>Licensee did not exercise its right of the opportunity to be heard provided by the DO pursuant to paragraph 39(1)(c) of the NSCA and subrule 34(2) of the <i>Canadian Nuclear Safety Commission Rules of Procedure</i>.</p>
2024-10-18	Enviro-Ex Contracting Ltd.	Director General (DG) of DNSR	37(2)(g): Confirm inspector order	<p>Order 1166:</p> <p>Generally, this order requires the licensee immediately place all gauges in their possession into safe and secure storage and prohibits further transport of portable nuclear gauges until the licensee has demonstrated to the satisfaction of the CNSC that it is capable of ensuring full compliance with the <i>Packaging and Transport of Nuclear Substances Regulations, 2015</i> and the <i>Transportation of Dangerous Goods Regulations</i>.</p> <p>Licensee did not exercise its right of the opportunity to be heard provided by the DO pursuant to paragraph 39(1)(c) of the NSCA and subrule 34(2) of the <i>Canadian Nuclear Safety Commission Rules of Procedure</i>.</p>
2024-10-18	Civil North Consulting Ltd.	DG of DNSR	37(2)(g): Confirm inspector order	<p>Order 1167:</p> <p>Generally, the order prohibits the licensee from using any portable gauges under CNSC licence 60446-1-27.1 until such time they can demonstrate to the satisfaction of the CNSC that it has implemented an effective radiation protection program, managed by a person with sufficient knowledge, time and resources, and all notices of non-compliance cited in Preliminary Inspection Report D-60446-PL-240916-1 have been corrected. In addition, the order prohibits the licensee from transporting portable gauges until it has demonstrated compliance with the <i>Packaging and Transport of Nuclear Substances Regulations, 2015</i> and the <i>Transportation of Dangerous Goods Regulations</i>.</p> <p>Licensee did not exercise its right of the opportunity to be heard provided by the DO pursuant to paragraph 39(1)(c) of the NSCA and subrule 34(2) of the <i>Canadian Nuclear Safety Commission Rules of Procedure</i>.</p>
2024-11-27	Sunshine Coast Materials Testing Ltd.	DG of DNSR	37(2)(g): Confirm inspector order	<p>Order 1093:</p> <p>Generally, this order requires that the licensee immediately place all gauges in its possession into safe and secure storage until it can demonstrate to the satisfaction of the CNSC that it has implemented an effective radiation protection program, managed by a person with sufficient knowledge, time and resources, and all notices of non-compliance cited in Preliminary Inspection Report D-60443-PL-241023-1R have been corrected. In addition, the order prohibits the licensee from transporting portable gauges until it has demonstrated to the satisfaction of the CNSC that it is capable of ensuring full compliance with the <i>Packaging and Transport of Nuclear Substances Regulations, 2015</i> and the <i>Transportation of Dangerous Goods Regulations</i>.</p> <p>Licensee did not exercise its right of the opportunity to be heard provided by the DO pursuant to paragraph 39(1)(c) of the NSCA and subrule 34(2) of the <i>Canadian Nuclear Safety Commission Rules of Procedure</i>.</p>

Appendix E: 2024 DO Community Forum – Agenda

Subject/ Objet	Designated Officers Community Forum 2024 / Forum de la communauté des fonctionnaires désignés 2024		
Date	THURSDAY, SEPTEMBER 19, 2024 / JEUDI LE 19 SEPTEMBRE 2024		
Time / Heure	1:15 PM – 3:15 PM	Duration/Durée: 2 hrs	
Agenda ~ Ordre du jour	1.	Welcome, Opening Remarks / Bienvenue, message d'ouverture C. Salmon (Commission Registry / Greffe de la Commission)	13h15 – 13h30
	2.	Opportunity to be heard for a DO decision / Possibilité d'être entendu au sujet d'une décision du fonctionnaire désigné R. Ringer (LCAB / DGAJC). <i>Presentation may be provided upon request / La présentation peut être fournie sur demande</i>	13h30 – 14h15
	3.	CNSC's Approach to Inspector Designations / L'approche de la CCSN concernant la désignation des inspecteurs(trices) M. Laflamme, L. Shugart (OPSEC / SCDO) E-doc 7343931 (English) / 7354462 (French)	14h15 – 15h00
	4.	Wrap up / Sommaire de la journée T. Panichevskaya (Commission Registry / Greffe de la Commission)	15h00 – 15h15

Some forum participants are in the collage below, from left to right:



Andrew Mathai, Julie Mecke, Ryan Ringer, Alexandre Viktorov, Lucie Désaulniers, Tetyana Panichevskaya, Laura Shugart, Cheramy Thirumeny, Cherie Zou, Mathieu Laflamme, Candace Salmon, and Karen Owen-Whitred.