



ORDER BY A DESIGNATED OFFICER UNDER PARAGRAPH 37(2)(F) OF THE
NUCLEAR SAFETY AND CONTROL ACT

CNSC Licence No. 15033-1-25.0

CNSC document No. 7476217

Unclassified

Date of Order: March 20, 2025

TO:

Andre Sabongui
Applicant Authority
2352767 Ontario Inc. operating as
North York Diagnostic and Cardiac Centre
250 Marlee Avenue
North York, Ontario

WHEREAS 2352767 Ontario Inc. holds a nuclear substance licence for the purpose of performing diagnostic nuclear medicine procedures (CNSC Licence No. 15033-1-25.0) issued pursuant to the *Nuclear Safety and Control Act* (NSCA) that authorizes the possession, use, transfer, storage, import and export of nuclear substances and radiation devices.

AND WHEREAS, Licence No. 15033-1-25.0 was issued by a Designated Officer effective July 1, 2024.

AND WHEREAS, CNSC staff noted deficiencies in the Radiation Safety Manual (RSM) submitted by the licensee as part of the licence renewal application, such as errors in the calculation of the minimum detectable activity limit.

AND WHEREAS, in light of these deficiencies, the DO issued the licence for a shortened (1 year) period and included as a licence document a commitment by the licensee to submit a revised radiation safety manual (RSM) by September 30, 2024, addressing the deficiencies.

AND WHEREAS, CNSC staff performed an inspection of 2352767 Ontario Inc. on September 20, 2024, to verify if 2352767 Ontario Inc. was operating safely.

AND WHEREAS, although CNSC staff did not identify immediate health and safety concerns, CNSC staff were concerned that these could evolve if the outstanding actions were left unresolved, since they could result in a serious degradation of the Radiation Protection Program (RPP).

AND WHEREAS, resulting from the CNSC inspection on September 20, 2024, 2352767 Ontario Inc. was requested to take corrective actions by September 30, 2024, in particular to submit a



revised RSM addressing the deficiencies noted by CNSC staff and the non-compliances identified during the inspection.

AND WHEREAS, 2352767 Ontario Inc. submitted a revised RSM on September 30, 2024 that failed to address the deficiencies noted by CNSC staff or the non-compliances identified during the September 2024 inspection.

AND WHEREAS, on October 29, 2024, 2352767 Ontario Inc. was requested to submit a revised radiation safety manual and responses to the September 2024 inspection by November 12, 2024.

AND WHEREAS, on November 11, 2024, 2352767 Ontario Inc., requested an extension until November 26, 2024, to submit the requested information.

AND WHEREAS, on November 26, 2024, 2352767 Ontario Inc. requested another extension to provide the requested information without specifying a timeline for submitting the information.

AND WHEREAS, on December 6, CNSC staff sent a warning letter to 2352767 Ontario Inc. expressing concerns about the implementation of the radiation protection program and that it remains in non-compliance due to unsatisfactory responses provided to the CNSC.

AND WHEREAS, on January 22, 2025, 2352767 Ontario Inc. submitted a new revision of its radiation safety manual with a note indicating that it was still a work in progress and expecting to submit a completed revision by April 30, 2025.

AND WHEREAS, on February 12, 2025, CNSC staff sent a second warning letter to 2352767 Ontario Inc. indicating that the corrective actions from the September 2024 inspection remained unresolved and that the revision of the RSM was still incomplete.

AND WHEREAS, on February 19, 2025, 2352767 Ontario Inc. submitted a revised radiation safety manual and a plan to address the deficiencies noted in the last licence renewal and the September 2024 inspection.

AND WHEREAS, the revised radiation safety manual and the submitted plan still do not correct the deficiencies noted in the last licence renewal and the September 2024 inspection.

AND WHEREAS, on February 19, 2025, CNSC staff sent a letter to 2352767 Ontario Inc. informing them that a recommendation to revoke licence No, 15033-1-25.0 would be made to the Commission due to improper management oversight over the Radiation Protection Program, failure to provide an acceptable radiation safety manual (RSM) and failure to address all non-compliances noted in the September 20, 2024, inspection within an acceptable timeline.

Therefore, in accordance with subsection 35(1) and paragraph 37(2)(f) of the NSCA, I order:

- 1) 23522767 Ontario Inc. operating as North York Diagnostic and Cardiac Centre to:



- a. transfer all nuclear substances and radiation devices in its possession to one or more licensees who are authorized to possess the nuclear substances by April 14, 2025.
- b. Decommission the nuclear medicine rooms located at 250 Marlee Avenue in North York Ontario in accordance with Licence Condition 2571-6 (Decommissioning) as specified on Licence No. 15033-1-25.0.
- c. Provide transfer records for the nuclear substances and radiation devices and documented evidence that decommissioning has been completed to the CNSC by April 17, 2025.

This order will remain in effect until I am satisfied that all information required by this order has been provided and actions required by this order have been completed.

OwenWhitred, Karen

Digitally signed by OwenWhitred, Karen
DN: C=CA, O=GC, OU=CNSC-CCSN, CN="OwenWhitred, Karen"
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Karen Owen-Whitred
Designated Officer
Directorate of Nuclear Substance Regulation
Canadian Nuclear Safety Commission

Dated at Ottawa, Ontario, Canada this 20 day of March 2025.