

January 26, 2017

Mr. Alfred Angelone  
Department Manager  
Mitsubishi International Corporation  
One Oxford Centre  
301 Grant Street, Suite 3050  
Pittsburgh, PA 15219-6401

SUBJECT: ACKNOWLEDGEMENT LETTER FOR NOTICE OF VIOLATION EA-16-249

Dear Mr. Angelone:

On December 5, 2016, the U.S. Nuclear Regulatory Commission (NRC) cited Mitsubishi International Corporation (MIC) for the failure to report exports of nuclear reactor components, including equipment associated with reporting requirements under the Protocol Additional to the Agreement Between the United States of America and the International Atomic Energy Agency for the Application of Safeguards in the United States of America (hereinafter referred to as the Additional Protocol), as required by Title 10 of the *Code of Federal Regulations* (10 CFR), Section 110.54(a)(1). The Notice of Violation required you to respond, in writing, within 30 days (NRC Agencywide Documents Access and Management System (ADAMS) Accession No. ML16313A144). You responded by letter dated December 20, 2016, ADAMS Accession No. ML17010A067. We have reviewed the information provided in response to the Notice of Violation and have concluded that your completed and proposed actions appear to meet the requirements of 10 CFR 2.201.

On November 14, 2016, Mr. Mitsuko Wilkins, Manager, Power Systems Department, MIC, submitted a letter describing corrections of annual reports of components exported for calendar years 2009, 2010, 2011, and 2012, ADAMS Accession No. ML17019A018. MIC self-identified the errors during its review of the Additional Protocol reports, as described in paragraph above. The letter also self-disclosed that shipments of components made in calendar years 2009, 2010, and 2011, were omitted in previous annual reports, as required by Section 10 CFR 110.54(c).

Based on the self-disclosure submitted on November 14, 2016, the NRC has determined that a Severity Level IV violation of NRC requirement occurred. Specifically, for the years 2009, 2010, and 2011, MIC made multiple shipments of nuclear reactor components under the NRC general license established by 10 CFR 110.26(a) to Japan, and failed to report these shipments by February 1<sup>st</sup> of the year following the year in which the shipments were made, in accordance with 10 CFR 110.54(c).

These violations were evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is available on the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violations are being treated as Non-Cited Violation's (NCV's) because all the criteria in Section 2.3.2 of the NRC's Enforcement Policy are met: (1) you identified the violations, (2) you initiated prompt and comprehensive corrective actions to prevent recurrence as documented in your letter dated November 14, 2016, (3) the violation were not repetitive as a result of inadequate corrective actions; and (4) the violation were not willful.

If you contest the violations or significance of the NCV's, you should provide a response within 30 days of the date of this report, with the basis for your denial, to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to the Deputy Director, Office of International Programs, and Director, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, (its enclosure(s), if any) and your response if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy or proprietary information so that it can be made available to the Public without redaction.

Please contact Andrea Jones at (301) 287-9072, if you have any questions regarding this matter.

Sincerely,

*/RA/*

Peter J. Habighorst, Chief  
Export Control and Nonproliferation Branch  
Office of International Programs

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*/RA/*

Peter J. Habighorst, Chief  
Export Control and Nonproliferation Branch  
Office of International Programs

cc: M. Wilkins

**DISTRIBUTION:**

OIP r/f

**ADAMS Accession No.: ML17019A031**

<b>OFFICE</b>	OIP/ECNP	BC: OIP/ECNP
<b>NAME</b>	AJones	PHabighorst
<b>DATE</b>	01/25/17	01/26/17

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