

February 5, 2018

EA-18-012

Ms. Emmanuelle Lee, Esq.
Deputy General Counsel
Mirion Technologies (Canberra), Inc.
800 Research Parkway
Meriden, CT 06450

SUBJECT: FAILURE TO REPORT EXPORTS OF BYPRODUCT MATERIALS SHIPPED
UNDER THE 10 CFR 110.23 GENERAL LICENSE - NON-CITED VIOLATION
OF 10 CFR 110.54(b)

Dear Ms. Lee:

This letter refers to your letter dated November 29, 2017, regarding Mirion Technologies (Canberra), Inc. (Mirion) late reporting to the U.S. Nuclear Regulatory Commission (NRC) of the exports of byproduct materials under the NRC general license, NRC Agencywide Documents Accession and Management System (ADAMS) Accession No.: ML17340A040. Title 10 of the *Code of Federal Regulations* (10 CFR) Section 110.54(b) states, in part, that persons making exports under the general license established by 10 CFR 110.23(a), shall submit by February 1, of each year, one copy of a report of all americium and neptunium shipments during the previous calendar year. A telephonic exit briefing was conducted with you on December 20, 2017.

Based on the information provided, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. Specifically, during calendar years 2012 – 2016, Mirion made multiple shipments of byproduct materials under the NRC general license established by 10 CFR 110.23(a) to multiple destinations, but failed to report these shipments in a report by February 1st of the year following the year in which the shipments were made.

This violation was 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/aboutnrc/regulatory/enforcement/enforce-pol.html>. The violation is being treated as a non-cited violation (NCV) because all the criteria in Section 2.3.2 of the NRC's Enforcement Policy are met: (1) you identified the violation, (2) you initiated prompt and comprehensive corrective actions to prevent recurrence as documented in your letter dated November 29, 2017, (3) the violation was not repetitive as a result of inadequate corrective actions, and (4) the violation was not willful.

If you contest the violation or significance of this NCV, you should provide a response within 30 days of the date of this report, with the basis for your denial, to the 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, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

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In accordance with 10 CFR 2.390 of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter, 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 Ms. Chimood at (301) 287-9225 if you have any questions regarding this matter.

Sincerely,

/RA/

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

cc: J. Semancik

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SUBJECT: FAILURE TO REPORT EXPORTS OF BYPRODUCT MATERIALS SHIPPED UNDER THE 10 CFR 110.23 GENERAL LICENSE - NON-CITED VIOLATION OF 10 CFR 110.54(b) DATED FEBRUARY 5. 2018

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cc:

Jeffrey Semancik

Radiation Division

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