



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

August 15, 2012

EA-2012-149  
Mr. Raymond Wojszynski  
Export Compliance Officer  
Curtiss Wright  
1000 Wright Way  
Cheswick, PA 15024

SUBJECT: CURTISS WRIGHT'S FAILURE TO REPORT THE EXPORT OF NUCLEAR  
REACTOR COMPONENTS SHIPPED UNDER THE GENERAL LICENSE IN  
10 CFR 110.26

Dear Mr. Wojszynski:

This letter refers to your annual report dated January 30, 2012, notifying the U.S. Nuclear Regulatory Commission (NRC), that your company was submitting its annual report for exports shipped in calendar year 2011 under the general license in 10 CFR 110.26 per the reporting requirement in 110.54(c). In your letter you also voluntarily self disclosed that you were including shipments made in calendar years 2009 and 2010, which had not been previously reported to the NRC. Specifically, on 1 occasion in 2009 and 3 occasions in 2010, Curtiss Wright exported reactor components to Canada under the general license in 110.26 without submitting an annual report per 110.54(c).

Curtiss-Wright identified the cause for the violations as a misunderstanding regarding raw materials and whether or not they were under NRC jurisdiction for export purposes. Curtiss-Wright has since determined that even though they considered these items to be raw materials that they were especially designed or prepared for use in a nuclear reactor and thus eligible for shipment under the General license in 110.26 and subject to the reporting requirement in 110.54(c). Curtiss-Wright initiated corrective actions for this deficiency upon identifying the potential violations described in the voluntary self disclosure; specifically, they have instituted changes to procedures to include a process for collecting data on such shipments in the future.

Based on the information provided, the NRC has determined that two instances of a Severity Level IV violation of NRC requirements occurred. This violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. This violation is being treated as a Non-Cited Violation (NCV), consistent with Section 2.3.2 of the Enforcement Policy, because: (a) the violation was self identified; (b) corrective actions were implemented; (c) the violation was not repetitive as a result of inadequate corrective actions, and; (d) 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

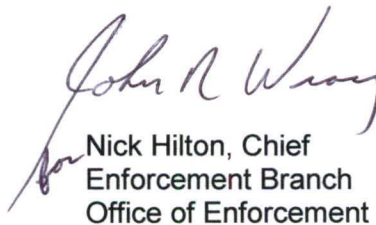
R. Wojszynski

- 2 -

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.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), 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 Web site 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.

Sincerely,

A handwritten signature in dark ink, appearing to read "Nick Hilton". The signature is fluid and cursive, with a large initial "N".

Nick Hilton, Chief  
Enforcement Branch  
Office of Enforcement

cc: (See attached list)

CC:

National Nuclear Security Administration  
Office of International Regimes and  
Agreements  
U.S. Department of Energy  
ATTN: Sean Oehlbert, Team Leader  
1000 Independence Avenue, SW  
Washington, D.C. 20585-1615

National Nuclear Security Administration  
Office of International Regimes and  
Agreements  
U.S. Department of Energy  
ATTN: Mr. Richard S. Goorevich, Director  
1000 Independence Avenue, SW  
Washington, D.C. 20585-1615

Customs and Border Protection  
ATTN: Christopher Baugues  
LSS Technical Data Assessment &  
Teleforensic Center  
12825 Worldgate Drive  
Herndon, VA 20170

Bureau of Industry and Security  
U.S. Department of Commerce  
Office of Nuclear and Missile Technology  
ATTN: Steve Clagett, Room 2631  
14th Street & Penn Avenue, NW,  
Washington, D.C. 20230

Office of Nuclear Energy, Safety  
and Security Affairs, Room 3320 HST  
Bureau of International Security and  
Nonproliferation  
U.S. Department of State  
ATTN: Robin DeLaBarre  
2201 C Street, NW  
Washington, D.C. 20520