

January 25, 2017

EA-2017-021

Mr. Paul D'aubin  
Senior Compliance Specialist  
Nordion (Canada) Inc.  
447 March Road  
Ottawa ON,  
Canada K2K 1X8

SUBJECT: FAILURE TO NOTIFY THE GOVERNMENT OF THE IMPORTING COUNTRY IN  
ADVANCE OF A SHIPMENT OF COBALT 60; NONCITED VIOLATION

Dear Mr. D'aubin:

This letter refers to your email dated January 19, 2017, regarding Nordion (Canada) Inc. (Nordion) failure to notify the Canadian Nuclear Safety Commission (CNSC) of an export of 12, 012.2 TBq of cobalt-60 under the U.S. Nuclear Regulatory Commission's (NRC's) export license PXB3.08. The export originated from Sterigenics US LLC in Lewis Center, Ohio, to Nordion (Canada) Inc. A notice was submitted to the NRC on December 21, 2016, for the shipment shipped from the U.S. on January 9, 2017.

As stated in your email, the CNSC was the intended addressee of the notices, however Nordion determined that the CNSC was not actually copied on the email submission. Upon noting this error, Nordion submitted the notification to the CNSC on January 18, 2017, nine days after the NRC was originally notified of the shipment.

In a call placed to Nordion on January 19, 2017, you informed the NRC that you intend to do an internal investigation of Nordion's Global Logistics Group to fully understand how the CNSC's email address was omitted from the notification. You also informed the NRC that you have replaced the requirement to select two email addresses by creating an email 'group' that contains the email addresses of both the CNSC and the U.S. NRC, thereby ensuring that both agencies will always receive the notifications.

Based on the information provided, the NRC has determined that a Severity Level IV violation of the NRC requirements occurred. Specifically, on December 21, 2016, Nordion submitted an advanced notification of shipment to the U.S. NRC, but failed to send the notification to the CNSC, in accordance with 10 CFR 110.50©(1).

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/about-nrc/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 email dated January 19, 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 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 Stephen Baker at (301) 287-9059 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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