



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BLVD.
KING OF PRUSSIA, PA 19406-2713

July 15, 2019

Robert Klem
Superior UV Technologies
25 Carriage Drive
Easton, CT 06484

SUBJECT: SUPERIOR UV TECHNOLOGIES NRC INSPECTION NOS. 03037784/2019001
AND 03037767/2019001 AND NOTICE OF VIOLATION

Dear Mr. Klem:

This letter refers to the inspection conducted on June 10-25, 2019, at your Bridgeport, Connecticut facility. This inspection examined activities conducted under your license as they relate to public health and safety, and to confirm compliance with the Commission's rules and regulations and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the results of this inspection, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. The violation is cited in the enclosed Notice of Violation (Notice) because the violation was identified by the NRC. This is a repeat violation.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC review of your response to the Notice will also determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC 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, proprietary, or safeguards information so that it can be made available to the Public without redaction.

If you have any questions regarding this matter, please contact Craig Gordon of my staff at (610) 337-5216 or via electronic mail at craig.gordon@nrc.gov.

Thank you for your cooperation.

Sincerely,

/RA/

Anne E. DeFrancisco, Acting Chief
Commercial, Industrial, R&D
and Academic Branch
Division of Nuclear Materials Safety
Region I

Docket Nos. 03037784, 03037767
License Nos. 06-23696-01, 06-23969-02E

Enclosure:
Notice of Violation

cc w/Encl: State of Connecticut

SUPERIOR UV TECHNOLOGIES NRC INSPECTION NOS. 03037784/2019001 AND
03037767/2019001 AND NOTICE OF VIOLATION DATED July 15, 2019

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R1Enforcement

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OFFICE	RI:DNMS	RI:DNMS			
NAME	Gordon/czg	DeFrancisco/aed			
DATE	06/26/19	07/15/19			

OFFICIAL RECORD COPY

NOTICE OF VIOLATION

Superior UV Technologies
Easton, CT

Docket Nos. 03037784, 03037767
License Nos. 06-23969-01, 06-23369-02E

During an NRC inspection conducted on June 10-25, 2019, one violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

- A. 10 CFR 32.16 requires, in part, that each person licensed under 10 CFR 32.14 shall maintain records of all transfers of byproduct material and file a report with the Director of the Office of Nuclear Material Safety and Safeguards by an appropriate method listed in 10 CFR 30.6(a) of this chapter. The licensee must file the report, covering the preceding calendar year, on or before January 31 of each year.

Contrary to the above, as of June 10, 2019, the licensee did not file reports on all transfers of byproduct material in accordance with 10 CFR 32.15. Specifically, reports were not submitted for calendar years 2015, 2016, 2017, and 2018. This is a repeat violation.

This is a Severity Level IV violation (Enforcement Policy Section 6.d.)

Pursuant to the provisions of 10 CFR 2.201, Superior UV Technologies is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555, with a copy to the Regional Administrator, Region I, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001. Under the authority of Section 182 of the Act, 42 U.S.C. 2232, any response which contests an enforcement action shall be submitted under oath or affirmation.

Your response will be placed in the NRC Public Document Room (PDR) and on the NRC Web site. To the extent possible, it should, therefore, not include any personal privacy, proprietary, or safeguards information so that it can be made publically available without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Notice of Violation
Superior UV Technologies

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In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated This 15th day of July 2019