

No. 94-96
Tel. 301/415-8200

FOR IMMEDIATE RELEASE
(Friday, June 10, 1994)

NRC STAFF ISSUES LICENSE AUTHORIZING EXPORT
OF LOW-ENRICHED URANIUM FUEL TO CZECH REPUBLIC

The NRC staff has issued a license authorizing Westinghouse Electric Corporation to export 342,000 kilograms of low-enriched uranium for use as fuel in the two-unit Temelin nuclear power plant which is nearing completion in the Czech Republic.

The license was issued after the Commission, by a 3-0 vote, denied requests for a public hearing before action was taken on the Westinghouse application. Chairman Ivan Selin did not participate in the Commission's consideration of the hearing requests.

The Westinghouse application for an export license was filed on December 1 last year and was placed in the NRC's Public Document Room on December 20. The Commission's export-import regulations require that hearing requests be filed within 15 days after an application is placed in the Document Room.

On March 17, a request for hearing was filed jointly by the Natural Resources Defense Council, Friends of the Earth, Hnutí Duha and Global 2000 (NRDC). The following month, two undated requests, incorporating by reference the NRDC petition, were received--from Greenpeace Austria and from Oberösterreichische Plattform gegen Atomgefahr (OPGA).

The Executive Branch, in a letter dated March 21, advised the Commission that, in its view, the application met all of the applicable Atomic Energy Act export licensing criteria and recommended that the Commission issue the license.

In its ruling on these requests, the Commission noted that the intent of Congress, when it enacted the Nuclear Nonproliferation Act of 1978, was, in part, to remedy prior uncertainty as to what U.S. export standards are and to enhance the United States' position as a reliable supplier of nuclear fuel to nations which share this country's antiproliferation policies. The Act also requires the Commission to act in a timely manner on export license applications to countries which meet United States' nonproliferation requirements.

In this context, the Commission ruled that the petitioners had not shown good cause or otherwise justified the late filing of their requests. The Commission also found that the petitioners lacked standing because the relief they sought, preventing Temelin operation, was not a matter that would be accomplished by a NRC decision on a fuel export. And, finally, the Commission perceived no value in a discretionary hearing.

Since the Commission denied the hearing requests on procedural grounds, it did not address the petitioners' substantive claim that operation of the Temelin facility would pose grave hazards or the view of supporters of the project that its operation would be a major step in averting hazards in Eastern Europe through the use of a technology purchased from the United States to upgrade to acceptable levels the safety and environmental acceptability of nuclear power plants in the former Soviet bloc.

#