April 18, 1991

MEMORANDUM FOR: James R. Shea, Director
International Programs
Office of Governmental and
Public Affairs

William C. Parler
General Counsel

FROM: Samuel J. Chilk, Secretary /S/

SUBJECT: SECY-91-077 - PROPOSED RETRANSFER OF IRRADIATED FUEL FROM SWITZERLAND TO FRANCE FOR REPROCESSING

The Commission (with all Commissioners agreeing) has approved the proposed response to DOE stating NRC does not object to DOE's approval of the subject retransfers with the correction noted on the attached page.

The Commission requested OGC to advise them in writing on why Section 133 should not be applied to retransfers of spent fuel, as it is applied to the retransfer of separated plutonium.

(OGC) (SECY Suspense: 7/19/91)

Attachment:
As stated

cc: Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
EDO

SECY NOTE: THIS SRM, SECY-91-077, AND THE VOTE SHEETS OF COMMISSIONERS ROGERS AND CURTISS WILL BE MADE PUBLICLY AVAILABLE 10 WORKING DAYS AFTER DOE PUBLICLY RELEASES THEIR DECISION.

D R A F T

□□□ □□□□□□□□ □□ □□□□
A□□□□□ D□□□□□□□
□□□□□□□ □□□□□□□□□□□□□□□ □□□□□□
□□□□□□ □□ □□□□□□□□□□□□□ A□□□□□□
□□□□ D□□□□□□□□□ □□ □□□□□□
□□□□□□□□□□□ D□ □□□□□

D□□□ □□□ □□□□□

T□□ □□□□□□ R□□□□□□□□ □□□□□□□□ □□□ □□□□□□□ □□□ □□□□ □□□
□□□□□□ □□ □□□ D□□□□□□□□ □□ □□□□□□ □D□□□ □□□□□□□ □□□□ □
□□□□□□□□□ □□□□□□□□□□ □□□□□□□□ □□□ □□□□□□□□ □□□□□□□□□ □□
□□□□□□□ □□□□ □□□□□□□□□□ □□ F□□□□□ □□□ □□□ □□□□□□□ □□
□□□□□□□□□□□□

□□ □□ □□□□□□□□□□ □□□□ □□□□□□□□□□ kilograms of uranium,
□□□□□□□□□ □□□□□□□□□□□□ □□□□□ □□□□□□□□ □□ □□□□□□□
□□□□□□□ □□ □□□□□□□□□□□□ □□□□□ □□ □□□□□ □□□ □□ □□□□□□□□
□□ □□□□□□□□□ □□□□ □□□ □□□□□□□□ □□□□□□□ □□□□□ □□□□□□□
□RTD□□□□□D□□□□□□ □□□

□□ □□ □□□□□□□□□ □□□□ □□□□□□□□□ □□□□□□□□□ □□□□□□□□□□
□□□□□ □□□□□□□□ □□ □□□□□□□ □□□□□□□ □□ □□□□□□□□□□ □□□□□
□□ □□□□□□ □□□ □□□ □□□□□□□□ □□ □□□□□□□□□ □□□□ □□□ □□□□□□□
D□□□□□□ □□□□□□□ □□□□□ □□□□□□□ □RTD□□□□□D□□ □□□□

□□ □□□□□□□□□ □□□□ D□□ □□□ □□□□□□□ □□□ □□□□□□□□ □□□□□□□□ □□□□
□□□ □□□□□□□□□ □□ □□□□□□□□□□ □□□□ □□□ □□□□ □□□□ □□□□ □□□□□□□
□□□□□□ □□□□ □□□ □□□□□□□□□ □□□ □□ □□□ □□□□□□□□ □□□□□□□ □□□□□□□
□□□□□□□□

□□□□□□□□□□□

R□□□□□ D□ □□□□□□□ A□□□□□□□□

D□□□□□□□□ □□□□□□□□□ □□□□□□□□□□ □□□
□□□□□□ □□□□□□□□□□□□ □□□□□□□□□□□□□□□
□□□□□□□□□
□□□□□□□ □□ □□□□□□□□□□□□□□ □□□ □□□□□□□

A□□□□□□□

D R A F T

□□□□□□□□□□ □