

April 4, 2001

MEMORANDUM TO: John T. Greeves, Director
Division of Waste Management
Office of Nuclear Material Safety and Safeguards
/RA/

FROM: Ronald D. Hauber, Deputy Director
Office of International Programs

SUBJECT: PROPOSED EXPORT OF CLASS A RADIOACTIVE WASTE TO
GERMANY (XW005 AND XW006)

Attached are two applications from Framatome ANP Richland, Inc. requesting authority to export Class A radioactive waste to Advanced Nuclear Fuels GmbH (ANF-GmbH) in Lingen, Germany (XW005 and XW006).

The first application (XW005) is for the return to Germany of non-combustibles contaminated with low enriched uranium. These non-combustibles are to be sorted out from contaminated combustibles imported for incineration from ANF GmbH, Lingen, Germany. The total uranium in the waste is estimated not to exceed 20 kilograms and the uranium-235 will not exceed 1 kilogram. The total volume of material is approximately 600 kilograms contained in ten 55 gallon barrels and consists of glass, metal and slag. This application corresponds to import license application IW009 from Siemens Power Corporation dated September 23, 1999 and forwarded to you on December 21, 1999 and your response dated February 9, 2000. IW009 is still under review and is discussed later in this memorandum.

The second application (XW006) is for return of incinerator ash derived from waste generated at ANF GmbH and incinerated in Sweden. The ash was sent to Siemens Power Corporation, now Framatome ANP Richland, Inc., in 1987 for testing. The ash contains a maximum of 20 kilograms of low-enriched uranium and 1 kilogram of uranium-235. The total volume is approximately 1500 kilograms of material contained in twelve 55 gallon barrels and consists of metal.

The applicant is planning to transport the material for both XW005 and XW006 by truck from Richland, Washington to Baltimore, Maryland and by ship from Baltimore to Bremerhaven, Germany. Upon arrival in Germany the material will be transported by truck to the ultimate consignee, ANF GmbH, in Lingen, Germany.

In a letter dated February 27, 2001, copy attached, NRC requested the U.S. State Department to contact the German Government authorities to confirm that they are aware of the proposed exports from the U.S. to Germany and that they have no objection, particularly in the context of the Code of Practice on Transboundary Movement of Radioactive Waste. NRC also requested State Department to provide its views as to whether the proposed exports would be consistent with the Code's guidelines.

The German Government's response to the Department of State regarding the export of the waste from Germany to the U.S. and the return of the incinerator residue to Germany noted that ANF GmbH holds the necessary permits to ship the waste to the U.S., but would need to apply to the German Federal Export Agency for a permit to import the low level radioactive residue from the incineration process. The German Government letter also notes that there is no advance guarantee of the issuance of the necessary import permit.

The Department of State concluded that the subject import under license application IW009 would be consistent with the Code of Practice on Transboundary Movement of Radioactive Waste, taking into account the German Government statement that permits for import into Germany of low-level radioactive waste are issued on a case-by-case basis.

DOS noted that this raises the possibility that the request to import into Germany might be denied, forcing Siemens to dispose of the incineration residue in the United States. This being the case, we would propose to issue the original import license IW009 only for the amount authorized for import by the German Government under XW006 and issue license amendments as future imports/exports are agreed to.

We would appreciate your review and comments regarding the attached export license applications XW005 and XW006, including the identification of any additional information the applicant should provide to us.

- Attachments: 1. XW005 dated 01/26/01
 2. XW006 dated 01/26/01
 3. NRC Ltr to DOS dated 02/27/01
 4. DOS Ltr to NRC dated 01/03/01 re IW009

cc: F. Combs, OSTP

bcc w/encl:

PDR
 DCS/DF02
 XW005
 XW006
 IW009

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