

April 9, 2007

The Honorable Frank A. LoBiondo  
United States House of Representatives  
District Office  
5914 Main Street  
Mays Landing, NJ 08330

Dear Congressman LoBiondo:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your March 22, 2007, letter which forwarded information from your constituent Mr. Domenic Ciancarelli of Precision Electronic Glass, Inc., (Precision). He requested the status of Precision's export license application proposing the export of boron glass tubing for the ultimate use in monitoring reaction control in the Qinshan II and Lingdong nuclear reactors in China.

NRC's Office of International Programs (OIP) received Precision's export application on January 8, 2007. In accordance with established procedures, OIP forwarded the application to the Executive Branch (Department of State). OIP requested that the Executive Branch obtain the necessary Chinese government assurances that the material be subject to all the terms and conditions under Section 109b of the Atomic Energy Act of 1954 (AEA), as amended by the Nuclear Non-Proliferation Act of 1978, and also requested Executive Branch views on whether the proposed export meets the applicable criteria as specified in the AEA.

On February 14 and March 29, the Executive Branch requested U.S. Embassy Beijing to seek Chinese Government assurances for the proposed export to confirm that the export would be subject to the terms and conditions of the U.S.-China Agreement for Peaceful Nuclear Cooperation. However, NRC cannot predict when and if the Executive Branch will receive these assurances. Our experience has been that certain countries take longer to provide assurances. We suggest that Precision query its contacts in China to discover what may be delaying these assurances.

Foreign governments have taken up to 4 months or more to provide the requested assurances. After receipt of the foreign government assurances, the Executive Branch forwards the assurances and the results of its formal export review to NRC. NRC usually issues an export license shortly thereafter if all export license requirements are satisfied. NRC will not act on the pending export license matter until after the agency receives and analyzes the Executive Branch review.

Should you require additional information or have additional questions, please contact Ms. Carlotta Coates at (301) 415-1787 or by e-mail at [cxc3@nrc.gov](mailto:cxc3@nrc.gov).

Sincerely,

**/RA/**

Janice Dunn Lee, Director  
Office of International Programs

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Sincerely,

**/RA/**

Janice Dunn Lee, Director  
Office of International Programs

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