



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

June 28, 1976

Industrial Devel &
Regulations 11 South
Africa
Box 24
Attn. 431-86-111
NRC

Memorandum to the Files

CONVERSATION WITH CONGRESSMAN DIGGS' ATTORNEY

In a June 23, 1976 letter to Samuel J. Chilk, Congressman Diggs listed eight questions and requested that answers be given to his attorney (Mrs. Goler Teal Butcher) within twenty-four hours.

The answers below were provided by telephone to Mrs. Butcher on the afternoon of June 24, 1976.

Question 1. Regarding AEC communication of December 27, 1973 and response thereto of January 15, 1974; please identify Vance Hudgins.

Answer Provided. Vance Hudgins is currently Assistant Director for Politico-Military Affairs, Division of International Security Affairs, ERDA. Information regarding his previous positions with the AEC may be obtained from his office.

Question 2. Regarding XSNM-508 and 690 licenses, please provide copies of Commission sections 2077 and 2153 determinations and findings, and supporting memoranda therefore.

Copies of Application for License to Export SNM (dated December 27, 1973 and approved January 15, 1974) and of License No. XSNM 690 (dated January 6, 1975) were forwarded to Mrs. Butcher on June 28, 1976 (see attachment). Mrs. Butcher stated that she already had a copy of the Application to Export SNM (approved on September 23, 1974). These documents indicate V. Hudgins' and G. Wayne Kerr's findings and determinations (see attachments).

Question 3. Did not the applicant's January 5, 1975 telegram initiate application for License XSNM-690? Is reference in Kerr's April 27, 1975 letter (to Hoyle of State) to XSNM-690 application date of March 25, 1975, in error?

Answer Provided. U.S. Nuclear's telegram of January 3, 1975 initiated application for XSNM-690, requesting authority to export 20,759.65 grams of high-enriched uranium to South Africa or the unshipped balance authorized previously by XSNM-508 as amended.

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Reference in Kerr's letter was to the amendment to XSNM-690, requesting authority to export an additional 25.7 kilograms of high-enriched uranium to South Africa. That application was actually dated March 26, 1975 and not March 25.

- Question 4. Please provide exact date, month, and year of Brenner's letter to AEC. Letter is marked "Reference BOPS-169" and is probably dated August or September 1974.

Answer Provided. R.D. Brenner's letter referred to above is undated but stamped received by the Agreements and Export Branch of the AEC on September 4, 1974.

- Question 5. Please provide copy of letter of General Starbird dated November 7, 1975 referred to in December 31, 1975 letter from Vance Hudgins to D. Hoyle (State) relating to XSNM-690.

I referred Mrs. Butcher to General Starbird's Office or ERDA/CA on this matter. (Copy not in our files and not our communication.)

- Question 6. Please provide date of issuance of License XSNM-690 Amendment One.

Answer Provided. Amendment 01 to License NO. XSNM-690 (an amendment to extend the expiration date) was issued on January 30, 1976.

- Question 7. Re IAEA safeguards, is INFIRC/66, as revised 16 September 1968, still in force? Please provide all revisions or amendments thereto.

Answer Provided. INFIRC/66, Revision 2, dated 16 September 1968, is in force. To my knowledge, there have been no further revisions or amendments thereto (although INFIRC/153 sets forth the structure and content of agreements between the IAEA and states required in connection with the NPT).

- Question 8. Please provide GC(v)/INF/39, effective 29 June 1961, and GC(X)/INF/86, effective 17 June 1966, and all revisions and amendments. Are these still in force?

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Answer Provided. Although copies of the documents referred to were not available in the files here, it is my understanding (from ERDA and State) that the first document is a copy of the NPT and the second is apparently an incorrect number. The NPT, of course, remains in effect.


Michael A. Guhin, Assistant Director
Export/Import and International
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Office of International Programs

cc: T.A. Rehm - EDO
E. Fay - CA