XSNM-690

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

August 7, 1978

Millard W. Arnold, Esq.
Lawyers' Committee for Civil
Rights Under Law
733 15th Street, NW.
Washington, DC 20005

Dear Mr. Mallard:

I am responding to your letter of July 27, 1978, requesting a status report on the Commission's consideration of XSNM-690, Amendment 2 (export of high enriched uranium to the Republic of South Africa). The Commission has not yet received Executive Branch views on this license application. On May 9, 1978, the Deputy Assistant Secretary of State Nosenzo notified the Congress pursuant to Section 126(a)(1) of the Atomic Energy Act that the Executive Branch had not provided the Commission its views on this application within the 60-day period mandated by the Act. Mr. Nozenzo stated that "Further Executive Branch action on this license application is awaiting the outcome of a review of the U.S.-South African nuclear cooperative relationship." It has been the Commission's policy not to act upon petitions for leave to intervene until we receive Executive Branch views on the merits of an application. See 10 CFR § 110.84(d). Consistent with this practice, it is our present intent to respond to your petition promptly after we receive Executive Branch views.

With respect to your request for documents, the Commission has not received any communications from United Nuclear since April 4, 1977, nor has the Commission corresponded with anyone with respect to this application since that date. The Commission will make available to you any correspondence we receive from United Nuclear and will serve upon you any orders we issue.

Sincerely,

Carlton R. Stoiber
Assistant General Counsel

E-15

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
U. S. NUCLEAR, INC.	)	Docket No.(s)
(Export of Special Nuclear Material to the Republic of South Africa)	)	License No. XSNM-690 (Amendment 2)
	)	
	)	
	)	

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document(s) upon each person designated on the official service list compiled by the Office of the Secretary of the Commission in this proceeding in accordance with the requirements of Section 2.712 of 10 CFR Part 2 - Rules of Practice, of the Nuclear Regulatory Commission's Rules and Regulations.

Dated at Washington, D.C. this 8th day of Aug 1978.

Peggy T. Downing
Office of the Secretary of the Commission

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
U. S. NUCLEAR, INC.	)	License No. XSNM-690
(Export of Special Nuclear	)	Amendment 2
Material ot the Republic of	)	
South Africa)	)	

SERVICE LIST

O.S. Heistand, Jr., Esq.
James A. Williamson, Jr., Esq.
Morgan, Lewis & Bockius
1800 "M" Street, N.W.
Washington, D.C. 20036

T. Michael Peay, Esq.
Lawyers' Committee for Civil
Rights Under Law
733 15th Street, N.W.
Washington, D.C. 20005

Irwin Goldbroom, Esq.
Civil Division
U.S. Department of Justice
Washington, D.C. 20530

James Kelley, Esq.
Acting General Counsel
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Martin G. Malsch, Esq.
Counsel for NRC Staff
U.S.Nuclear Regulatory Commission
Washington, D.C. 20555

Mr. George Springsteen
Executive Secretary
Department of State
Washington, D.C.

Ronald J. Bettauer, Esq.
Deputy Assistant Legal Adviser
L/OES, Room 6420
Department of State
Washington, D.C. 20520