

UNITED STATES
NUCLEAR REGULATORY COMMISSION

In the Matter of)	License PXB142.00
)	Attention: Carlos Martinez
General and Specific Licenses)	GE Hitachi Nuclear Energy, LLC
Authorizing Exports of)	Vallecitos Nuclear Center
Source, Special Nuclear or Byproduct)	6705 Vallecitos Road
Materials to Libya)	Sunol, CA 94586

ORDER SUSPENDING LICENSES
(EFFECTIVE IMMEDIATELY)

The licensees that are subject to this order hold specific and general licenses issued by the Nuclear Regulatory Commission (NRC or Commission) pursuant to Sections 53, 57, 64, 69, and 82 of the Atomic Energy Act of 1954, as amended (AEA), and 10 C.F.R. Part 110. The specific licenses authorize exports to Libya of byproduct material for nuclear end uses, and the general licenses authorize exports to Libya for special nuclear materials (10 C.F.R. § 110.21), nuclear end uses of source materials (10 C.F.R. § 110.22), byproduct materials (10 C.F.R. § 110.23), and deuterium (10 C.F.R. § 110.24).

By Executive Order of February 25, 2011, Blocking Property And Prohibiting Certain Transactions Related To Libya ("Executive Order"), any exports by U.S. persons to Libya of items in which the Government of Libya or a person designated under the Executive Order has an interest is prohibited unless authorized by the Office of Foreign Assets Control (OFAC) of the Department of Treasury.¹ The Executive Branch has determined that, in light of the Executive Order and the current instability in Libya, any exports to Libya of items subject to NRC jurisdiction would be inimical to the common defense and security of the United States. For this reason, the Executive Branch has recommended that the NRC suspend any existing specific licenses to the extent that they license exports to Libya and restrict general licenses so that they are not available for export to Libya.


¹See NRC notice, *Prohibiting Exports Involving Libya by Executive Order*, 76 Fed. Reg. 16560 (March 23, 2011).

In view of the Executive Branch's recommendation, pursuant to Sections 161b., 161i., 183, and 186 of the AEA, and 10 C.F.R. §§ 110.50(a)(1) and (2) and 110.52, NRC specific and general license authorization for nuclear exports to Libya under Sections 53, 57, 64, 69, and 82 of the AEA and 10 C.F.R §§ 110.21, 110.22, 110.23, and 110.24 is suspended, effective immediately. This suspension order will remain in effect until further notice.

In accordance with 10 C.F.R. § 110.52(c), any aggrieved person may file an answer within 20 days and request the opportunity to be heard. The sole issue in any hearing would be the applicability of the Executive Order to the aggrieved person.

Future export requests can be evaluated on a case-by-case basis, in light of the Executive Order and other concerns, and further guidance will be issued at the appropriate time.

FOR THE NUCLEAR REGULATORY COMMISSION


Margaret M. Doane, Director
Office of International Programs

Dated at Rockville, Maryland
this 2nd day of August 2011