



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

August 2, 2016

Ms. Becky G. Eddy
U.S. Department of Energy
National Nuclear Security Administration
Y-12 National Security Complex
301 Bear Creek Road
Oak Ridge, TN 37831

Dear Ms. Eddy:

I am writing to update you on the status of your export license application (XSNM3757), currently under review by the U.S. Nuclear Regulatory Commission (NRC). The license application is for the export of 121.1 kilograms (kg) of U-235 contained in 130 kg of uranium, enriched to a maximum weight of 93.20%, for fuel fabrication. The fabricated fuel will be used at AREVA's Compagnie pour l'Etude et la Réalisation de Combustibles Atomiques (CERCA) facility in France. CERCA will then deliver the fabricated fuel to the Institut Laue-Langevin in France, for use in its High-Flux Reactor.

Title 10 of the *Code of Federal Regulations*, Part 110.40(d), states that if the Commission has not completed action on a license application within 60 days after receipt of the Executive Branch judgement, it will inform the applicant in writing for the reason of the delay, and, as appropriate, provide follow-up reports. We received the final Executive Branch correspondence on June 3, 2016. Due to the 60-day review ending on August 3, 2016, we are providing you with the reason for the delay.

Specifically, Dr. Alan J. Kuperman filed a request for a hearing and petition for leave to intervene on your export license application. The Commission is adjudicating the pending request for a hearing and petition to intervene filed by Dr. Kuperman. Once the Commission makes its determination regarding Dr. Kuperman's intervention petition, the Office of International Programs will resume the review of your export license application.

My staff will provide you with updates and follow-up reports, as needed. You may contact Ms. Andrea Ferkile, the Licensing Officer assigned to this case, with any questions. Ms. Ferkile can be reached on 301-415-8058 or Andrea.Ferkile@nrc.gov.

Sincerely,

A handwritten signature in blue ink, reading "Brooke G. Smith", is positioned above the typed name.

Brooke G. Smith, Chief
Export Controls and Nonproliferation Branch
Office of International Programs