



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

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Memorandum to the File

STAFF CONCLUSIONS REGARDING LICENSE AMENDMENT TO EXPORT SPECIAL NUCLEAR MATERIAL TO SWITZERLAND (XSNM01481, AMENDMENT NO. 1)

In August 1979, Transnuclear Incorporated applied for a license amendment to export an additional 1,287 kilograms of uranium, enriched to 3.55% U-235, to Switzerland for use in the Beznau II reactor.

In response to our September 13, 1979 request for views, the Executive Branch (1) concluded that issuance of the license amendment would not be inimical to the common defense and security, and (2) confirmed that the material will be subject to all the terms and conditions of the Agreement for Cooperation between the US and Switzerland, and during the time it is transiting the FRG, the US-EURATOM Additional Agreement for Cooperation. These views and license application analysis by the Executive Branch were forwarded by State Department memorandum of October 29, 1979. Confirmation of the applicability of the US-Switzerland Agreement and the US-EURATOM Agreement was set forth in letters dated September 26, 1979 from the Embassy of Switzerland and October 18, 1979 from the EURATOM Delegation.

The material requested under application XSNM01481, Amendment No. 1 is low-enriched uranium intended for routine reload of the Beznau reactor. Under 10 CFR 110.40(b)(2) the staff is authorized to issue routine export licenses for reloads of low-enriched uranium fuel for use in power reactors with respect to which a previous export license to receive fuel has been issued. Export licenses have been issued previously for fueling the Beznau II facility.

The Commission, in reviewing prior export license applications for Switzerland (e.g. XSNM01344 issued February 16, 1979 and XSNM01529 issued September 11, 1979) has determined that Switzerland meets the applicable export licensing requirements of 10 CFR 110.44(a)(1).

The staff has found that there are no material changed circumstances associated with the subject application from those existing at the time of issuance of XSNM01344 and XSNM01529, therefore the license may be issued under the authority contained in Section 126(a)(2) of the Atomic Energy Act and 10 CFR 110.44(a)(2).

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