

March 27, 1981

SECY-81-200



POLICY ISSUE
(Information)



For: The Commissioners

From: William J. Dircks
Executive Director for Operations

Subject: EXECUTIVE BRANCH RESPONSE ON PENDING EXPORT
APPLICATIONS FOR HEU TO FRANCE, XSNM01521, XSNM01536
AND XSNM01764

Purpose: To inform the Commission of the above subject.

Discussion: Enclosed for the information of the Commission are
copies of the Executive Branch response on three
pending export license applications. Also enclosed
are copies of the original applications and related
correspondence. Copies of the Executive Branch comments
have been placed in the Public Document Room. A Commission
Action Paper will be forwarded soon.

Commissioners are requested to advise the staff of any
particular issues or information which they can identify
at this stage and which they wish included in the staff's
analysis.

A handwritten signature in black ink, appearing to read "William J. Dircks".

William J. Dircks
Executive Director for Operations

Enclosures:
As Stated

CONTACT: B.L.Wright, IPEI
(2-7984)

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DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

MAR 10 1981

Mr. James R. Shea
Director of International Programs
United States Nuclear Regulatory Commission
Room 6714 - MNBB
Bethesda, Maryland

*XSNM01521
XSNM01536
XSNM01764
HEU for the HFR
Reactor, Grenoble, France*

Dear Mr. Shea:

This letter is in response to the letters from Mr. Gossick dated June 13, and July 12, 1979, and the letter from your office dated November 21, 1980, requesting Executive Branch views as to whether issuance of export licenses in accordance with the applications hereinafter described would be inimical to the common defense and security of the United States and whether the proposed exports meet the applicable criteria of the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978:

NRC No. XSNM01521, -1536 and -1764 — Applications by Transnuclear, Inc. and Edlow International for authorization to export to France via the Federal Republic of Germany the following amounts of special nuclear material: -1521 — 30.8 kg. U-235 in 33.0 kg. U; -1536 — 24.31 kg. U-235 in 26 kg. U; and -1764 — 24.31 kg. U-235 in 26 kg. U for a total of 79.42 kilograms of U-235 contained in 85 kilograms of uranium enriched to a maximum of 93.5 percent. The enriched uranium in the form of UF₆ will be shipped to NUKEM, GmbH, Hanau, FRG, for conversion into UO₂. NUKEM and CERCA will fabricate the material into fuel elements for the HFR Reactor at Grenoble.

The proposed exports would take place pursuant to the Additional Agreement for Cooperation Between the United States and the European Atomic Energy Community (EURATOM) as confirmed in letters from the Delegation of the Commission of the European Communities, copies of which are enclosed. EURATOM has adhered to the provisions of its Agreement for Cooperation with the United States.

The Executive Branch has reviewed these applications and concluded that the requirements of the Atomic Energy Act, as amended by the Nuclear

and that the proposed export security of the United States. ed December 8, 1978 for NRC view of Executive Order 12295 in the first proviso to Section amended, to March 10, 1982, been no other material change

DUPLICATE DOCUMENT

Entire document previously entered into system under:

ANO 8103260041
No. of pages: 5

APPLICATION FOR LICENSE TO EXPORT NUCLEAR
MATERIAL AND EQUIPMENT (See Instructions on Reverse)

1. APPLICANT'S USE		a. DATE OF APPLICATION 6/5/79		b. APPLICANT'S REFERENCE TNP-285 79-169/01		2. NRC USE		a. LICENSE NO. XSNM01521		b. DOCKET NO. 11000669		
3. APPLICANT'S NAME AND ADDRESS						4. SUPPLIER'S NAME AND ADDRESS						
a. NAME Transnuclear, Inc.						a. NAME U.S.D.O.E.						
b. STREET ADDRESS One Skyline Place, 5205 Leesburg Pike						b. STREET ADDRESS Route One						
c. CITY Falls Church				STATE VA		ZIP CODE 22041		c. CITY Piketon				
STATE				ZIP CODE		STATE				ZIP CODE		
703 - 820 - 2450				OH		45661						
5. FIRST SHIPMENT SCHEDULED		6. FINAL SHIPMENT SCHEDULED		7. APPLICANT'S CONTRACTUAL DELIVERY DATE		8. PROPOSED LICENSE EXPIRATION DATE		9. U.S. DEPARTMENT OF ENERGY CONTRACT NO. (If Known)				
				To be determined		One year from date of issuance		To be assigned				
10. ULTIMATE CONSIGNEE						11. ULTIMATE END USE						
a. NAME Institut Max Von Laue -						(Include plant or facility name) Will be used in the High Flux Reactor at Grenoble, France (See attached End Use Statement)						
b. STREET ADDRESS Paul Langevin						01						
c. CITY - STATE - COUNTRY Grenoble, France						11a. EST. DATE OF FIRST USE						
12. INTERMEDIATE CONSIGNEE						13. INTERMEDIATE END USE						
a. NAME Nukem GmbH, D-6450 Hanau, Federal						Conversion and fabrication of fuel elements (See attached End Use Statement)						
b. STREET ADDRESS Republic of Germany and						13a. EST. DATE OF FIRST USE						
c. CITY - STATE - COUNTRY CERCA Romans, France						15. INTERMEDIATE END USE						
14. INTERMEDIATE CONSIGNEE						15a. EST. DATE OF FIRST USE						
a. NAME Transnuklear GmbH						Intermediate for transport purposes only.						
b. STREET ADDRESS 645 Hanau, Postfach 110030												
c. CITY - STATE - COUNTRY Wolfgang-Bei-Hanau Industriegelände, Hessen, W. Germany												
16. NRC USE		17. DESCRIPTION (Include chemical and physical form of nuclear material, give dollar value of nuclear equipment and components)				18. MAX. ELEMENT WEIGHT		19. MAX. WT. %		20. MAX. ISOTOPE WT.		21. UNIT
		Uranium in the form of uranium hexafluoride enriched to 93.30 percent U235.				33.0 Kg U		93.3%		30.8 Kg U235		Kg
22. COUNTRY OF ORIGIN - SOURCE MATERIAL						23. COUNTRY OF ORIGIN - SNM WHERE ENRICHED OR PRODUCED U.S.		24. COUNTRIES WHICH ATTACH SAFEGUARDS (If Known)				
25. ADDITIONAL INFORMATION (Attach page sheet if necessary) 1979 JUN 6 PM 1 14 COPY to FDR and ACC 6-7-79 00025												
26. The applicant certifies that this application is prepared in conformity with Title 10, Code of Federal Regulations, and that all information in this application is correct to the best of his/her knowledge.												
SIGNATURE						TITLE Assistant Manager						

END USE STATEMENT

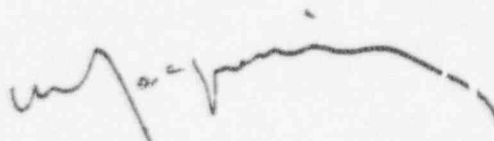
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We certify that the following quantities based on contractual figures, and including D.O.E. allowable tolerances on uranium weight and enrichment :

kg U	kg U235	maximum enrichment
33,0	30,8	93.30

which application for export licence will be applied by Transnuclear Inc. will be used in High Flux Reactor at Grenoble.

M. JACQUEMAIN



TRANSNUCLEAR, INC.



June 5, 1979

Mr. N. Moore
Nuclear Regulatory Commission
Office of International Programs
7735 Old Georgetown Road
Bethesda, Maryland 20014

Re: Export License Application TN Ref: 79-169/01
(TNP - 285)


Dear Mr. Moore:

Enclosed is an export license application for your handling on the following:

33.0 Kg U, containing 30.8 Kg U235,
enriched to 93.30 percent U235.

Thanking you in advance for your help and cooperation.

Sincerely,


Vicki Matson
Assistant Manager - Washington Operations

Enclosures: Original E.U.S.
Original Reactor Checklist Information
Six Drawings

VM/lr

DUPLICATE DOCUMENT

Entire document previously
entered into system under:

AND 7907230052

No. of pages: 7

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Distribution:
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 WJDircks, AEDO, w/encl.

FEB 27 1980

Mr. Peter Tarnoff
 Executive Secretary
 U.S. Department of State
 Washington, D.C. 20520

Dear Mr. Tarnoff:

Enclosed please find a letter from Urangesellschaft to Edlow International dated January 18, 1980, which provides additional information on export license application XSNM01536.

Please consider this in conjunction with the application which was forwarded to you on July 12, 1979.

Sincerely,

Original signed by William J. Peterson

for William J. Dircks, Acting
 Executive Director for Operations

Enclosure:
 Letter dtd. 01/18/80
 (XSNM01536)

cc w/enclosure:

Mr. Holsey G. Handyside, DOE
 Mr. Richard L. Williamson, ACDA/NP/NX
 Ms. Sheila Buckley, DOD
 Mr. Peter G. ... DOE

DUPLICATE DOCUMENT

Entire document previously entered into system under:

ANO 8003180160

No. of pages: 5

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OFFICE	IPEI	IPEI	AAD/IPEI	
SURNAME	Wright	Moore	Peterson	
DATE	2/27/80	2/27/80	2/27/80	

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S. Cornell, NMSS, w/enc1
LVGossick, EDO w/enc1

Mr. Peter Tarnoff
Executive Secretary
U.S. Department of State
Washington, D.C. 20520

Dear Mr. Tarnoff:

Enclosed please find a letter from Urangesellschaft to Edlow International dated August 24, 1979, which provides additional information on export license application XSNM01536.

Please consider this in conjunction with the application which was forwarded to you on July 12, 1979.

Sincerely,

Betty L. Wright/for
Lee V. Gossick
Executive Director
for Operations

Enclosure:
Letter dtd 8-24-79
(XSNM01536)

cc w/enclosure:
Mr. Holsey G. Mandyside, DOE
Mr. Richard L. Williamson, ACDA/NP/NX

DUPLICATE DOCUMENT

Entire document previously entered into system under:
ANO 8002070433

No. of pages: 11

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OFFICE →	IPEI <i>B. L. Wright</i>	IPEI <i>Betty L. Wright/for</i>	IPEI <i>Peterson</i>		
BURO →	<i>B. L. Wright</i>	Moore	Peterson		
DATE	1-21-80	1-21-80	1-21-80		

JUL 1 1979

TRIBUTION:

IP r/f
IPEI r/f
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PDR
G. Proco, OROO, w/encl.
H. McAlduff, OROO, w/encl.
ELD, w/encl.
I&E, w/encl.
~~G. Johnson~~, NMSS, w/encl.
LVGossick, EDO

SCornall

Mr. Peter Tarnoff
Executive Secretary
U.S. Department of State
Washington, D.C. 20520

Dear Mr. Tarnoff:

Enclosed please find an application from Edlow International Company for a license to export high enriched uranium to France as reload fuel for the High Flux Research Reactor (RHF).

Before taking action on this license application, we would appreciate your views, in accordance with established procedures and from the overall perspective of the Executive Branch, as to whether the issuance of the requested license would be inimical to the interests of the United States, including the common defense and security, and whether the proposed export meets the applicable criteria in the Atomic Energy Act as amended by the Nuclear Nonproliferation Act of 1978.

Sincerely,

Original signed by
James B. O'Keefe

for Lee V. Gossick,
Executive Director
for Operations

Enclosure:
Appl. dtd 7/5/79
(XSNM01536)

cc w/enclosure:
Holsey G. Handyside, DOE
Richard L. Williamson, ACDA/NP/NS
Sheila Buckley, DOD
Duane Sewell, DOE
Lawrence Brady, DDC
Robin DeLaBarre, DOS

Dupe 7908080592

copy

OFFICE	IPEI	IPEI	IPEI: AAN	IP: DIR	EDO
SURNAME	E Hemby: af	R N Moore	M R Peterson	J R Shea	L V Gossick
DATE	7/11/79	7/11/79	7/11/79	7/ /79	7/ /79

APPLICATION FOR LICENSE TO EXPORT NUCLEAR
MATERIAL AND EQUIPMENT (See Instructions on Reverse)

1. APPLICANT'S USE		a. DATE OF APPLICATION July 5, 1980		b. APPLICANT'S REFERENCE SNM -		2. NRC USE		a. LICENSE NO. XSNM01536		b. DOCKET NO. 11000709	
3. APPLICANT'S NAME AND ADDRESS NAME - DUPON INTERNATIONAL CO. - GERMANY for Uranengesellschaft G-bH STREET ADDRESS 1100 27th St. NW CITY Washington STATE D.C. ZIP CODE 20006 TELEPHONE NUMBER (Area Code - Number - Extension)						4. SUPPLIER'S NAME AND ADDRESS RIS Complete if applicant is not supplier of material					
5. FIRST SHIPMENT SCHEDULED January 1980						6. FINAL SHIPMENT SCHEDULED		7. APPLICANT'S CONTRACTUAL DELIVERY DATE		8. PROPOSED LICENSE EXPIRATION DATE January 1981	
9. U.S. DEPARTMENT OF ENERGY CONTRACT NO. (If Known)						11. ULTIMATE END USE (Include plant or facility name) Reload fuel 11a. EST. DATE OF FIRST USE October 1980					
10. INTERMEDIATE CONSIGNEE NAME High Flux Research Reactor (RHF) STREET ADDRESS Institut Max von Laue - Paul Langevin CITY - STATE - COUNTRY Grenoble, France						12. INTERMEDIATE END USE Fabrication of fuel elements 12a. EST. DATE OF FIRST USE upon receipt					
13. INTERMEDIATE CONSIGNEE NAME Mugen GmbH STREET ADDRESS 645 Hanau Postfach 260 CITY - STATE - COUNTRY West Germany						14. INTERMEDIATE END USE					
15. INTERMEDIATE CONSIGNEE NAME STREET ADDRESS CITY - STATE - COUNTRY						15a. EST. DATE OF FIRST USE					
5. NRC USE		17. DESCRIPTION (Include chemical and physical form of nuclear material, give dollar value of nuclear equipment and components)				18. MAX. ELEMENT WEIGHT		19. MAX. WT. %	20. MAX. ISOTOPE WT.	21. UNIT	
		uranium as enriched uranium hexafluoride				26		90.5	24.31	kg	
		*Copy to FDR and ACC 7/11/79									
22. COUNTRY OF ORIGIN - SOURCE MATERIAL				23. COUNTRY OF ORIGIN - SNM WHERE ENRICHED, OR PRODUCED USA				24. COUNTRIES WHICH ATTACH SAFEGUARDS (If Known)			
25. ADDITIONAL INFORMATION (Use separate sheet if necessary) DUPON 7903150425											
26. The applicant certifies that this application is prepared in conformity with Title 10, Code of Federal Regulations, and that all information in this application is correct to the best of his/her knowledge. SIGNATURE: [Signature]											

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NOV 21 1980

Mr. G. F. Helfrich, Director
 Office of Program Implementation
 Bureau of Oceans and International
 Environmental and Scientific Affairs
 U.S. Department of State
 Washington, D.C. 20520

Dear Mr. Helfrich:

Enclosed please find an application from Edlow International Company for a license to export special nuclear material to France for use in the HFR Reactor at Grenoble.

Before taking action on this license application, we would appreciate your views, in accordance with established procedures and from the overall perspective of the Executive Branch, as to whether the proposed export meets the applicable criteria in the Atomic Energy Act of 1954 as amended by the Nuclear Nonproliferation Act of 1978.

Sincerely,

Original signed by
 James B. Devine

James B. Devine, Assistant Director
 Export/Import and International
 Safeguards
 Office of International Programs

Enclosure:
 Appl. dtd. 10/29/80
 (XSNM01764)

cc w/encl.
 Mr. Michael McDonough, DOE
 Mr. Richard L. Williamson, ACDA/NP/NX
 Ms. Sheila Buckley, DOD
 Ms. Natalie Martin, DOE
 Mr. Dan Cook, DOC
 Mr. Robin DeLaBarre, DOS

Dupe 8012100201

60290

OFFICE	IPEI	IPEI	AD/IPEI			
SURNAME	<i>B. Wright</i> B. Wright/sa	<i>R. Moore</i> R. Moore	<i>J. Devine</i> J. Devine			
DATE	11/18/80	11/19/80	11/20/80			

APPLICATION FOR LICENSE TO EXPORT NUCLEAR MATERIAL AND EQUIPMENT (See Instructions on Reverse)

1. APPLICANT'S USE		a. DATE OF APPLICATION 29 Oct 80		D. APPLICANT'S REFERENCE URN-4		2. NRC USE		a. DOCKET NO. 1102281		D. LICENSE NO. XSNM01764	
3. APPLICANT'S NAME AND ADDRESS						4. SUPPLIER'S NAME AND ADDRESS (Complete if applicant is not supplier of material)					
a. NAME Edlow International Co. agent for Vrangsellschaft GmbH						a. NAME U.S. Dept of Energy					
b. STREET ADDRESS 1100 17th St. N.W. Washington D.C. 20036						b. STREET ADDRESS Box E Oak Ridge TN 37830					
c. CITY						c. CITY					
d. TELEPHONE NUMBER (Area Code - Number - Extension) 202 833 8237						e. CITY					
5. FIRST SHIPMENT SCHEDULED		6. FINAL SHIPMENT SCHEDULED		7. APPLICANT'S CONTRACTUAL DELIVERY DATE		8. PROPOSED LICENSE EXPIRATION DATE		9. U.S. DEPARTMENT OF ENERGY CONTRACT NO. (If Known)			
October 1981				October 1981							
10. ULTIMATE CONSIGNEE						11. ULTIMATE END USE (Include plant or facility name)					
a. NAME High Flux Reactor						01					
b. STREET ADDRESS						Research & testing					
c. CITY - STATE - COUNTRY						11a. EST. DATE OF FIRST USE March 1982					
12. INTERMEDIATE CONSIGNEE						13. INTERMEDIATE END USE					
a. NAME Nukem GmbH						37435					
b. STREET ADDRESS 645 Hanau Postfach 860						fabrication of fuel elements					
c. CITY - STATE - COUNTRY West Germany						13a. EST. DATE OF FIRST USE upon receipt					
14. INTERMEDIATE CONSIGNEE						15. INTERMEDIATE END USE					
a. NAME						15a. EST. DATE OF FIRST USE					
b. STREET ADDRESS											
c. CITY - STATE - COUNTRY											
16. NRC USE		17. DESCRIPTION (Include chemical and physical form of nuclear material; give dollar value of nuclear equipment and components)				18. MAX. ELEMENT WEIGHT		19. MAX. WT. %	20. MAX ISOTOPE WT.	21. UNIT	
103		uranium as enriched uranium hexafluoride				26		93.5	24.31	kgs	
		"Copy to FDR and 100 11-17-80"									
		Dupe 8011260388									
22. COUNTRY OF ORIGIN - SOURCE MATERIAL			23. COUNTRY OF ORIGIN-SNM WHERE ENRICHED OR PRODUCED			24. COUNTRIES WHICH ATTACH SAFEGUARDS (If Known)					
USA			USA								
25. ADDITIONAL INFORMATION (Use separate sheet if necessary)											
The check list of information will be forthcoming from Grenoble.											
26. The applicant certifies that this application is prepared in conformity with Title 10, Code of Federal Regulations, and that all information in this application is correct to the best of his/her knowledge.											
AUTHORIZED OFFICIAL		a. SIGNATURE Diane Wright Harmon				b. TITLE Vice President					

00010
11-17-80