

SECY-81-212



For:

The Commission

Frum:

William J. Dircks

Executive Director for Operations

Subject:

EXECUTIVE BRANCH RESPONSE ON PENDING EXPORT APPLICATIONS
FOR HEU TO THE NETHERLANDS, XSNM01495, XSNM01632 AND XSNM01699

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.

William J. Dircks

Executive Director for Operations

Enclosures: As stated

CONTACT:

B. L. Wright, IP (49-27984)

Commissioners
Commission Staff Offices
Exec Dir for Operations
Secretariat

DEPARTMENT OF STATE

Washington D C 20520

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS 24

MAR 2 3 1991

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

Dear Mr. Shea:

XSNM 01495 1632 1699 HEU for HFR research reactor, Petter, retherlands

This letter is in response to the letters from your office dated April 13, 1979, December 19, 1979 and July 14, 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 Nos. XSNM01495, -01632 and -01699 — Applications by Transnuclear Inc. for authorization to export to the Netherlands via the Federal Republic of Germany: -01495 — 18.707 kgs. U-235 in 20.050 kgs. U; -01632 — 14.965 kgs. U-235 in 16.04 kgs. U; and -01699 — 18.707 kgs. U-235 in 20.050 kgs. U for a total of 52.479 kgs. U-235 in 56.14 kgs. U in the form of uranium hexafluoride enriched to 93.3 percent for use in the H.F.R. research reactor at Petten, Netherlands. Conversion of the exported material to uranium metal and fabrication into fuel elements will be performed at NUKEM, GmbH, Hanau, FRG.

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 Non-Proliferation Act of 1978, have been met and that the proposed exports

nd security of the United States.
itted December 8, 1978 for NRC
and -01241. In view of Executive
riod specified in the first proviso
of 1954, as amended, to March
alid. There has been no other
ubmission.

DUPLICATE DOCUMENT

Entire document previously entered into system under:

ANO \$104010765 No. of pages: 5

11.S. NUCLEAR REGULATORY COMMISSION

APPROVED BY GAO B-180225(R0362)

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

APPLICANT'S & DATE O	F APPLICATION	b. APPLIC	ANT'S REFERENCE	2. NRC	LICENS	E NO. 149	5	1/0005 S	22
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* NAME Transnukle	ar GmbH			Inte	rmediate fo	r trans	port p	urposes or	ily.
b. STREET ADDRESS									
645 Hanau	, Postfach	110030							
C. CITY - STATE - COUN	TRY	Hesse	n, W.Germany	1		T 1105			
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26. The applicant certifies	that this application	n is presser	ed in conformity wi	th Title 10,	Code of Federal Re	gulations, an	od that all	information in th	nis
application is correct to	o the best of his/he	knowledg	with the second						
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27. AUTHORIZED OFFIL	AL.	the	4.61 ///		AS.	TP COLL	· veriande		NAME OF TAXABLE PARTY.







PETTEN ESTABLISHMENT Position 2, 1755 ZG Petten, The Netherlands Tel. (02246) 6442 - Telex 57211 REACP

1979 APR 11 AN 10 02

TO WHOM IT MAY CONCERN

Our reference: FD/mh/83.530 Your reference:

Petten.26th March 1979

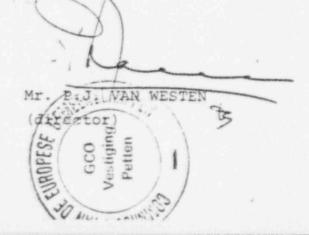
END USE STATEMENT

The undersigner certifies that the following material, i.e. 20.050 kgs of uranium (93,3% U-235 enriched) in the form of UF6 and containing 18.707 kgs of U-235 which will be furnished to us under a Short-Term Fixed Commitment Contract with US-DOE will be used for the community reactor at Petten, Netherlands.

NUKEM GmbH, D 6450 Hanau, Federal Republic of Germany, shall perform the conversion work for us. Manufacturing of the fuel elements shall be performed by NUKEM, Hanau.

We authorize Transnuclear Inc., Falls Church, Va., to apply

for the exp ort license.



PLITEN ESTABLISHMENT. CHICKLIST FOR USE IN REVIEW OF REQUESTS FOR HIGHLY ENGLOSED UPACIDED OF DESCRIPTION TEGRNICAL AND ESCHOOLS USED CONTON

Date Tst | April 1979 . 1. Name of Facility: HIGH FLUX REACTOR / PETTEN 2. Quantity of Uranium Requested (Kgs): 20,050 KGS-TERMAT'L SFGRDS 3. Enrichment in the Icotope U-235 (%): 93% 4. Sale or Toll Enriching: 5. Current Core Loading (Kgs of U-235): 10.9 Kgs; 6. Current Power Level (EWth): 45 MV 7. Criticality and Full Operating Power Dates and Power Hating (if request involves new facility): 8. Name of Convertor and Facricator of Puel: NUKEM GmbH - HANAU FEDERAL REPUBLIC OF GERMANY 9 Breakdown of Fuel Inventory (Kgs of U-235): as per 1st April 1979. a. Amount of U-235 in Pabrication outside USA Including Scrap Allowances: 39 Kgs (NUKEM) + 5,5 Kgs (CERCA) b. Amount of U-235 in Storage in Completed, Unirradiated Fuel Elements: 22,4 Kgs. c. Amount of U-235 in Core: 10.9 Kgs d. Amount of U-235 in Spont Fuel Storage within the Community Including Chemical Reprocessing Plants, and the Reprocessing Schedule for Such Material: . a. spent fuel in HFR pools: 10,3 Kgs partly BU + 21,5 Kgs full BU ≥) b. TO RECALL: 41,7 Kgs 75% at DOE-Savannah River (after reprocessing). e. Amount of U-235 Lost and/or Consumed Durin; Operation of Above Facility: consumption: averages 16 Kgs / year burn-up rate 50%)
losses: averages 0,4 Kgs / year (in fabrication plants) f. Amount of U-235 per Puel Element: 390 gms per fuel elem. and 270 gms per rod. g. Average Core Life: one cycle covers 28 operation days. h. Average Lead Time for Conversion and Fuel Fabrication if Conversion and Fabrication is to be Done Abroad: approx. 12 months. Requested export licenses still awaiting MDG ----

TRANSNUELEAR, INC.



April 11, 1979

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

Re: Export License Application: TN Ref: 79-121/01 (NUK-278)

Dear Mr. Moore:

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

20.050 Kg U, containing 18.707 Kg U235, enriched to 93.30 percent U235.

Thanking you in advance for your help and cooperation.

Sincerely,

Vicki Matson

Assistant Manager

Washington Operations

Enclosure: Original E.U.S.

Original Reactor Checklist

VM/ak

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1979 /FR 11 #M 10 72

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

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CITY		STATE ZIP CODE	b. STREET	TADDRESS				
Falls Church		VA 22041	Rout	e One				
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(703) 280-2450		and the second s	Pike	ton			OH 45661	NED C
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28. The applicant certifies tha	t this application is p	repared in conformity with	Title 10, Cod	e of Federal	Regulations, a	nd that all	information in this	
application is correct to the	ne best of his/her kno	wiedge.						-
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TO WHOM IT MAY CONCERN.

Our reference FD/ma/83.633 Your reference:

Petten. 19th November 1979.

END USE STATEMENT.

The undersigner certifies that the following material, i.e. 16,04 kgs of uranium (93,3 % U-235 enriched) in the form of UF6 and centaining 14.965 kgs of U-235 which will be furnished to us under a Short-Term Fixed Commitment Contract with US-DOE will be used for the H.F.R.-reactor of the European Community located at Petten, the Netherlands.

NUKEM GmbH, D 6450 Hanau, Federal Republic of Germany, shall perform the conversion work for us. Manufacturing of the fuel elements shall be performed by NUKEM, Hanau.

We authorize Transnuclear Inc., Falls Church, Va., to apply for the export license.

Mr. F.J. van Westen, (Director)

HIGH FLUX REACTOR/PETTEN A Thirt back in B. To the Belle (19) The second secon 10,9 Kgs For Charlest Charlest Lands (Mit also 45 MW to a transfer to a transfer of the transfer of the transfer of the transfer of the fact of the transfer of the rende prendiger No. 8. Name of Conservator and Pak-iostur of Fuel: NUKEM GmbH - HANAU FEDERAL REPUBLIC OF GERMANY 9. Distillation of Puel Inventory (Mga of U-235): as per 16th november 1979 to Indiat of U-235 in Indication outside WEA Including Some, (93,3 %) Allowance: 40,7 Kgs (NUKEM) + 36,2 Kgs (CERCA) by Amorgan var ("ADB) to File tyre to Corollation, this wetled that I will be a set of 3,4 Kgs (93,3 %) 6. A. over 1 1 1225 for the 1 ಕೆ. ಶಿಕ್ಕಾರ್ (ನಿ. ಫ್ಲಾನ್ ಅನಿ ಕೆಲ್ನಾರ್ ಕ್ಲಾರ್ ಕ್ರಾಂಡ್ ಕ್ಲಾರ್ ಕ್ಲಾರ್ಟ್ ಸಿಕ್ಟ್ ಟ್ರಾಟ್ ಕಾರ್ಕ್ ನಿರ್ವಹಿಸಲಾಗಿ ಸಿಕ್ಕಿನ a) spent fuel in HFR pools : 9,5 Kgs partly BU + 16,4 Kgs full Tu b, TO RECALL : 2 9,4 Kgs 75 % at DOE-Savannah River (After reprocessing ా . ముఖులు కార్స్ మర్గులు కార్డ్ క్రిక్ట్ కార్లు కార్డు ముఖుకున్న కాటుంది. కార్యముఖ్య కార్డ్ క్రిక్స్ కార్డ్ క D. Average Core Liber

Va Another of V-035 the Tool Discount: 405 gms per fuel elem. and 280 gms per per rod. (alteration of the specification

S. Arrestige Lead Time for Conversion and Tuel Polyspation of Conversio, and the median is to be be been for it averages 12 - 15 months

Reenrichment can only occur after export licence granting by the U.S. Authorities.

TRANSMULLEAR, INC.



December 17, 1979

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

Re: Export License Application TN Ref: 79-337/01 (NUK-311)

Dear Mr. Moore:

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

16.04 Kg U, containing 14.965 Kg U235, enriched to 93.30 percent U235.

Thanking you in advance for your help and cooperation. Sincerely,

Vicki Matson Assistant Manager - Washington Operations

VM/lr

Enclosures: Original E.U.S.

Original Reactor Checklist

b. TITLE Assistant Manager-Wash.Operations

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

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One Skyline Pl	ace, 5205 Lee	sburg	Pike	THE RESERVE AND PERSONS ASSESSED.	codyear Atomic	Corp.				
CITY		STATE	ZIP CODE	b. STREET ADDRESS						
Falls Church	The same of the sa	VA	22041	Route One STATE ZIP CODE						
(703) 82 0-245	0			Piketon OH 4566						
S. FIRST SHIPMENT SCHEDULED	6. FINAL SHIPMEN SCHEDULED	DELIVERY DATE		TRACTUAL	B. PROPOSED LICENSE EXPIRATION DATE	9. U.S. DEPARTMENT OF ENERG CONTRACT NO. (If Known)				
		To	be determi	ned	One year from date of issuance	a To b	e assigned			
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Nukem, GmbH										
b. STREET ADDRESS				Conversion and fabrication of fuel elements						
D-6450 Hanau				(See attached End Use Statement)						
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Federal Republ	ic of Germany			13a CCT	DATE OF FIRST USE					
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a. SIGNATURE

27. AUTHORIZED OFFICIAL

TRANSNUCLEAR INC.



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July 3, 1980

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

Re: Export License Application
TN Ref: 80-149/01 (NUK-333)

Dear Mr. Moore:

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

20.050 Kg U, containing 18.707 Kg U235, enriched to 93.30 percent U235.

Thanking you in advance for your help and cooperation.

Sincerely,

Vicki Matson Assistant Manager - Washington Operation

Enclosure: Original E.U.S. Reactor Checklist

VM/jew

Dupe 8007290446