



DEPARTMENT OF STATE

Washington, D.C. 20520

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ENVIRONMENTAL AND SCIENTIFIC AFFAIRS JUL 12 PM 4 57

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EXPORT/IMPORT  
AND  
INTERNAT'L SFGROS

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

XSNM01506  
11000607

Dear Mr. Shea:

This letter is in response to your letter dated May 10, 1979, requesting Executive Branch views as to whether issuance of an export license in accordance with the application hereinafter described would be inimical to the common defense and security of the United States and whether the proposed export meets the applicable criteria of the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 (P.L. 95-242):

NRC No. XSNM01506 -- Application by Transnuclear, Inc. for authorization to export to Switzerland 740.012 kilograms of U-235 contained in 22,089.9 kilograms of uranium enriched to a maximum of 3.35 percent, plus .034 kilogram of U-235 contained in 1.0 kilogram of uranium as sampling material. This low enriched uranium in the form of uranium hexafluoride will be shipped to RBU-Reaktor Brennelement Union GmbH as intermediate consignee for conversion and fabrication into fuel assemblies. The finished fuel assemblies will be shipped to Switzerland for reload of the Gosgen-Daniken Nuclear Power Plant at Daniken.

The proposed export to the ultimate consignee in Switzerland would take place pursuant to the Agreement for Cooperation Between the United States and Switzerland as confirmed in a letter from the Embassy of

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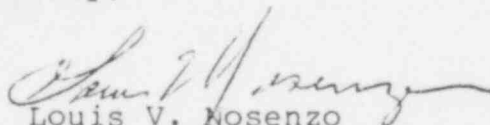
Switzerland, a copy of which is enclosed. Switzerland has adhered to the provisions of its Agreement for Cooperation with the United States.

The export of this nuclear material to the intermediate consignees in the Federal Republic of Germany would take place pursuant to the Additional Agreement for Cooperation Between the United States and the European Atomic Energy Community (EURATOM), as amended, as confirmed in a letter from the Delegation of the Commission of the European Communities, a copy of which is enclosed. EURATOM has adhered to the provisions of its Agreement for Cooperation with the United States.

The Executive Branch has reviewed this application and concluded that the requirements of the Atomic Energy Act as amended by P.L. 95-242 have been met and that the proposed export will not be inimical to the common defense and security of the United States. A detailed analysis for Switzerland was submitted December 19, 1978 (NRC No. XSNM-1344) and for the Community, December 8, 1978 (NRC Nos. XSNM-1241, 1232, 1212 and 1238). There has been no material change in circumstances since those submissions.

On the basis of the foregoing, the Executive Branch recommends that the license be issued.

Sincerely,

  
Louis V. Nosenzo  
Deputy Assistant Secretary

Enclosures:  
Assurance letters

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SCHWEIZERISCHE BOTSCHAFT

WASHINGTON D.C. 20008,  
3900 Cathedral Avenue N.W.  
Telefon HO 2-1811/7

Re: 651.513 Gösgen - MR/ch

June 4, 1979

Colonel Vance H. Hudgins

Director  
Division of Politico-Military  
Security Affairs  
Office of International Affairs  
U.S. Department of Energy  
Washington, D.C. 20585

Re: Export License Application XSNM-1506

Dear Colonel Hudgins:

Reference is made to your letter of May 31, 1979.

This letter serves as official confirmation that

- a) The transfer of the material, as identified on the license application, will be subject to all of the terms and conditions of the Agreement for Cooperation, which entered into force on August 8, 1966, as amended, concerning the civil uses of atomic energy between the Government of the United States and the Government of Switzerland;
- b) The ultimate consignee, Kernkraftwerk Gösgen-Däniken AG in Däniken, is authorized by my Government to receive and possess the material.

Sincerely yours,

*R. E. Müller*  
R.E. Müller  
Energy Counselor

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DELEGATION OF THE COMMISSION OF THE EUROPEAN COMMUNITIES

EURATOM SUPPLY AGENCY

July 6, 1979

Mr. Vance H. Hudgins  
Assistant Director for Politico-  
Military Security Affairs  
Division of International Security Affairs  
Department of Energy  
Washington, D.C. 20545

Dear Mr. Hudgins:

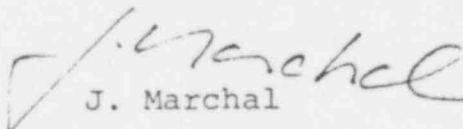
Subject: Transnuclear, Inc. application RBU 280 79-096/01  
dated May 3, 1979 for West Germany - XSNM01506  
(our reference: AG/984/3)

We certify that the material mentioned in this application, namely 740.012 kilograms of U-235 contained in 22,089.9 kilograms of uranium plus 0.034 kilograms of U-235 contained in 1.0 kilograms of uranium as sampling material, and the transfer of this material will be subject to all terms and conditions of the Additional Agreement for Cooperation, dated July 25, 1960, as amended.

Further, we certify that Reaktor Brennelement Union GmbH, (RBU), Hanau, West Germany (for manufacture of fuel elements only), as intermediate consignee, is authorized to receive and possess this material pursuant to the aforementioned Agreement for Cooperation.

This material (except for the sampling quantity) will be used at the RBU facilities in West Germany for the manufacture of fuel elements for the reactor Gosgen-Daniken located in Switzerland.

Sincerely,

  
J. Marchal

JM/ajs

cc: ✓ Mr. Robin De LaBarre, State Department  
Ms. Betty Wright, NRC  
Ms. Vicki Matson, Transnuclear, Inc.

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