



DEPARTMENT OF STATE

Washington, D.C. 20520

ACL

XSNM01367
11000154

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

December 18, 1978

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

Dear Mr. Shea:

This letter is in response to your letter dated September 18, 1978 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; and the Nuclear Non-Proliferation Act of 1978 (P.L. 95-242):

NRC XSNM-1367 -- Application by Trans-nuclear, Inc. for authorization to export to the Federal Republic of Germany 661.0 kilograms of U-235 contained in 24,058.0 kilograms of uranium enriched to a maximum of 3.40 percent. This low enriched uranium in the form of uranium hexafluoride will be shipped to RBU Reactor Brennelement Union GmbH, Hanau, FRG, for conversion and fabrication into fuel elements for reload of Reactor Kernkraftwerk ISAR Nuclear Power Plant.

The proposed export would take place pursuant to the Additional Agreement for Cooperation Between the United States and the European Atomic Energy Community (EURATOM) as confirmed in a letter from the Delegation of the Commission of the European Communities dated September 8, 1978. 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 and P.L. 95-242 have been met and that the proposed export will not be inimical to the common defense and

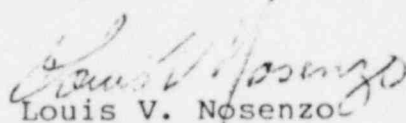
79012500

49

security of the United States. A detailed analysis for the FRG was submitted December 8, 1978 for NRC No. XSNM-1241. There has been no material change in the circumstances associated with the new application from those existing at the time of that submission.

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

Sincerely,

A handwritten signature in dark ink, appearing to read "Louis V. Nosenzo", is written over the typed name.

Louis V. Nosenzo
Deputy Assistant Secretary

Enclosure:

Assurance letter

DELEGATION OF THE COMMISSION OF THE EUROPEAN COMMUNITIES

September 8, 1978
JM/mc

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

Subject: Transnuclear Inc. application #RBU 243 EU/101
78-235/01 dated August 28, 1978 for West Germany
XSNM01367

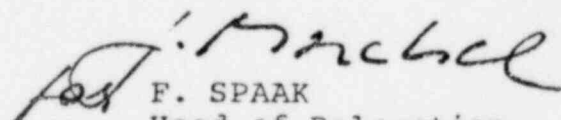
Dear Mr. Hudgins:

We certify that the material mentioned in this application, namely 661.0 Kg of U-235 contained in 24058.0 Kg of U plus 4 Kg of sampling material containing .136 Kg of U-235 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 RBU, Hanau, West Germany, and NATCO, Vienna, Virginia, for the sampling material only, as intermediate consignees, and Kernkraftwerk Isar GmbH, Munich, West Germany, as ultimate consignee, are authorized by EURATOM to receive and possess this material pursuant to the aforementioned Agreement for Cooperation.

The above material will be used in the RBU facilities for the conversion of UF₆ to UO₂ for the manufacture of fuel elements for Reactor Kernkraftwerk Isar.

Sincerely yours,


F. SPAAK
Head of Delegation

cc: Mr. Robert DeLabarre, State Department
Ms. Janice Dunn, NRC
Ms. Vicki Matson, Transnuclear Inc.