



DEPARTMENT OF STATE

Washington, D.C. 20520

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BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS 10 PM 2 07

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EXPORT/IMPORT
AND
INTERNATIONAL SFGDRS

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

Dear Mr. Shea:

This letter is in response to the letter from your office dated September 11, 1980, 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. XU08508 — Application by Edlow International to authorize the export to the Federal Republic of Germany of 117,319 kilograms of natural uranium in the form of U₃O₈. The material is to be stored in the FRG for eventual use, after conversion and enrichment, in the Grohnde Nuclear Power Plant. Conversion and enrichment are expected to take place in a EURATOM member state.

The proposed export of natural uranium for storage in the FRG, eventual enrichment in Europe and use in the FRG, would take place pursuant to the 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, a copy of which is enclosed. EURATOM has adhered to the provisions of its Agreement for Cooperation with the United States.

Export of natural uranium for enrichment is subject to Section 402 (a) of the Atomic Energy Act, as amended. It is the view of the Executive Branch that pending conclusion of the negotiations to amend the U.S.-EURATOM Additional Agreement for Cooperation, export for enrichment in EURATOM may take place pursuant to the present Agreement with the approval of the United States. The procedures for such approval are to be identical to those for subsequent arrangements, under Section 131 of the Atomic Energy Act, as amended, as set forth in Part E of the Executive Branch Procedures published in the Federal Register on June 9, 1978. The Department of Energy as the lead agency for preparation of subsequent arrangements is taking the necessary steps for approval under Section 402 (a) of the Act.

Copy to PDR and ACC 11-10-80

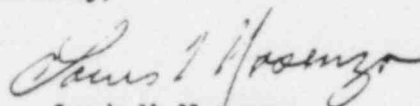
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The Executive Branch has reviewed this application and concluded that the requirements of the Atomic Energy Act, as amended by the Nuclear Non-Proliferation Act of 1978, have been met and that the proposed export will not be inimical to the common defense and security of the United States. A detailed analysis for the original application was submitted November 27, 1979. In view of Executive Order 12193, extending the duration of the period specified in the first proviso to Section 126a(2) of the Atomic Energy Act of 1954, as amended, to March 10, 1981, that detailed analysis remains valid. There has been no other material change in circumstances since that submission.

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

Sincerely,



Louis V. Nosenzo
Deputy Assistant Secretary

Enclosure:
Assurance letter

DELEGATION OF THE COMMISSION OF THE EUROPEAN COMMUNITIES

EURATOM SUPPLY AGENCY

October 22, 1980

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

Dear Mr. Griffin:

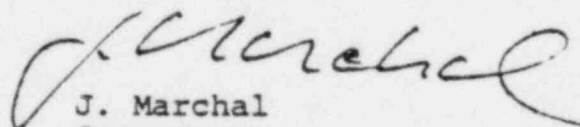
Subject: Edlow International Co.'s application 'NUEX-1'
dated September 2, 1980 for West Germany - XU08508

We certify that the material mentioned in this applica-
tion, namely 138,348 kilograms of U₃O₈ containing 117,319
kilograms of uranium, 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 the Kernkraftwerk Grohnde Power
Station, Ludwigshafen, West Germany, as ultimate consignee,
is authorized by EURATOM to receive and possess this material
pursuant to the aforementioned Agreement for Cooperation.

The material, in the form of natural uranium, will be
stored pending eventual assignment of conversion, enrichment
and fuel fabrication contracts for use as a partial reload
for the Grohnde Power Station in - West Germany.

Sincerely,



J. Marchal
Secretary
Nuclear Supply

ajs

cc: ✓ Mr. Robin De LaBarre, U.S. Department of State
Ms. Betty Wright, U.S. Nuclear Regulatory Commission
Ms. Diane Harmon, Edlow International Company