



DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

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EXPORT/IMPORT AND INTERNATIONAL AFFAIRS

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

*XSNM01756  
Wurgassen React.  
multiple reloads*

Dear Mr. Shea:

This letter is in response to the letter from your office dated October 29, 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:

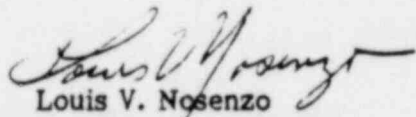
**NRC No. XSNM01756** — Application by Transnuclear, Inc. for authorization to export to the Federal Republic of Germany 2,065.5 kilograms of U-235 contained in 75,000 kilograms of uranium enriched to a maximum of 3.4 percent, plus .136 kilogram U-235 in 4.0 kilograms uranium enriched to 3.4% for sampling purposes. The low enriched uranium in the form of uranium hexafluoride is intended for conversion into UO<sub>2</sub> and fabrication into fuel elements by RBU, GmbH, Hanau, FRG, for three reloads of the Wurgassen Nuclear Power Plant. Shipments would begin in 1981 and continue each year in increments of 25,000 kilograms LEU until 1983.

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, 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 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 EURATOM was submitted November 27, 1979 for NRC application No. XU08427. 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

December 4, 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:

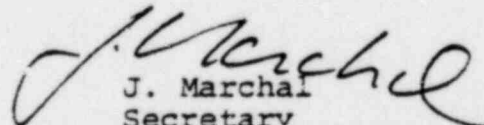
Subject: Transnuclear, Inc. application 'RBU 353 80-277/01'  
dated October 24, 1980 for West Germany - XSNMol756

We certify that the material mentioned in this application, namely 2,065.5 kilograms of U<sub>235</sub> contained in 75,000.0 kilograms of total uranium and 0.136 kilograms of U<sub>235</sub> contained in 4.0 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 conversion and manufacture of fuel elements only), as intermediate consignee, and the Preussische Elektrizitaets-Aktiengesellschaft (Preussenelektra), Hanover, West Germany, as ultimate consignee, are authorized by EURATOM to receive and possess this material pursuant to the aforementioned Agreement for Cooperation.

The material, in the form of UF<sub>6</sub>, after conversion and manufacture into fuel elements by RBU, will be used for multiple reloads for Preussenelektra's reactor Kernkraftwerk Wuergrassan 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. Vicki Matson, Transnuclear, Inc.

N.B.: Our reference is AGT/31.