



DEPARTMENT OF STATE

Washington, D.C. 20520

RECEIVED
23 DEC 1980

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

1980 DEC 30 PM 1 00

DEC 29 1980

EXPORT/IMPORT
AND
INTERNAT'L SFGROS

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

*XSNM01755
Stade Reactor
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 (P.L. 95-242):

NRC NO. XSNM01755 — Application by Transnuclear, Inc. for authorization to export to the Federal Republic of Germany 2,965.0 kilograms of U-235 contained in 88,500.0 kilograms of uranium enriched to a maximum of 3.35 percent, plus 0.1675 kilograms U-235 in 5.0 kilograms uranium enriched to 3.35 percent for sampling purposes. This low-enriched uranium in the form of uranium hexafluoride will be shipped to RBU, GmbH, Hanau, FRG, for conversion into UO₂ and fabrication into reactor fuel elements for five reloads of the Stade nuclear power plant. Shipments, in increments of 17,700 kilograms, are scheduled to begin in 1982 and continue on an annual basis until 1986.

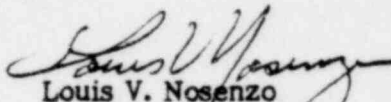
The proposed export to the Federal Republic of Germany would take place pursuant to the Additional Agreement for Cooperation Between the United States and the European Atomic Energy Community (EURATOM) as confirmed in a letter from the Delegation of the Commission of the European Communities. EURATOM 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 EURATOM was submitted November 27, 1979 for NRC application No. XU08427. In view of Executive Branch 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.

- 2 -

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 2, 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:

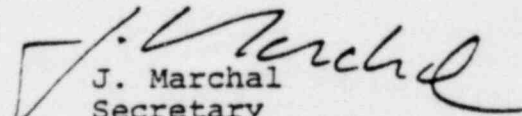
Subject: Transnuclear, Inc. application 'RBU 352 80-232/01'
dated October 24, 1980 for West Germany - XSNMol755

We certify that the material mentioned in this application, namely 2,965.0 kilograms of U₂₃₅ contained in 88,500.0 kilograms of total uranium plus 0.1675 kilograms of U₂₃₅ contained in 5.0 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 Nordwestdeutsche Kraftwerke Aktiengesellschaft (NWK), Hamburg, 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 UF₆, after conversion and manufacture into fuel elements by RBU, will be used for multiple reloads for NWK's power reactor Stade 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/41