



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

ACU

MAR 19 1981



Mr. Gerard F. Helfrich, Director
Office of Program Implementation
Bureau of Oceans and International
Environmental and Scientific Affairs
U.S. Department of State
Washington, D.C. 20520

Dear Mr. Helfrich:

On March 9, 1981, State forwarded Executive Branch views on Edlow International's proposed amendments to export license XU08427. One of these amendments would add the EIR research facility in Wuorenlingen, Switzerland to the license as an intermediate consignee for storage of enriched uranium.

Before we can add this storage facility to the license, our regulations require written physical security assurances from the Government of Switzerland that "physical security measures providing as a minimum protection comparable to that set forth in INFCIRC/225/Rev. 1 will be maintained for export of special nuclear material in Category II or III quantities". As you know, the Swiss Government has provided generic physical security assurances only with respect to its nuclear power plants. These assurances do not cover storage facilities or research facilities such as at EIR.

With regard to assurances for EIR, State asked Embassy Bern in December 1980 to obtain physical security assurances for all categories of material at EIR (State 323142). On February 9, 1981, the Embassy provided an interim response and indicated that a "response to the question concerning the maintenance of Category II and III levels of protection, however, must be based on an undertaking from the Federal Interior Department, which Energy officials have not as yet had an opportunity to obtain" (Bern 620).

In view of the need to obtain written assurances for XU08427, we would appreciate your contacting Embassy Bern regarding the Category II and III assurances. Until we have received the necessary assurances, NRC will be unable to add the EIR facility to the license to store the enriched uranium.

Sincerely,

James B. Devine
James B. Devine, Assistant Director
Export/Import and International Safeguards
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cc:
Mr. Michael McDonough, DOE
Mr. Richard L. Williamson, ACDA/NP/NX
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