

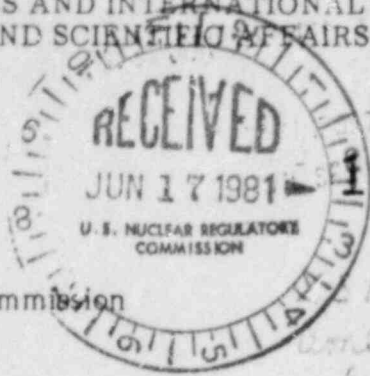


ACC

DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS



12 JUN 1981

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

*XSNM01770
amend. /
addl. material
for Biblis A*

Dear Mr. Shea:

This letter is in response to the letter from your office dated April 21, 1981, requesting Executive Branch views as to whether amendment 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:

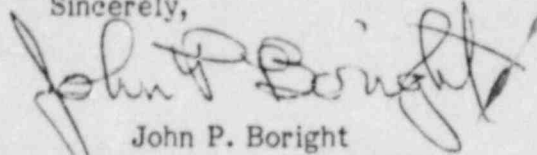
NRC No. XSNM01770 — Application by Exxon Nuclear Company, Inc. to amend license XSNM01770 to authorize the export to the Federal Republic of Germany of an additional 81 kilograms of U-235 contained in 2,300 kilograms of uranium enriched to a maximum of 3.5 percent for a total of 1,751 kilograms of U-235 in 51,500 kilograms of uranium enriched to a maximum of 3.5 percent. This low-enriched uranium in the form of sintered UO₂ fuel pellets will be shipped to Exxon Nuclear GmbH for fabrication into fuel assemblies for 2 reloads of the Biblis A nuclear power plant.

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, 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 the FRG was submitted December 8, 1978 for NRC application No. XSNM01241. In view of Executive Branch Order 12295, 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, 1982, 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 amended as requested.

Sincerely,

A handwritten signature in cursive script, appearing to read "John P. Boright". The signature is written in dark ink and is positioned above the printed name.

John P. Boright
Acting Deputy Assistant Secretary

Enclosure:
Assurance letter

DELEGATION OF THE COMMISSION OF THE EUROPEAN COMMUNITIES

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

22 April, 1981.

Dear Mr. Griffin:

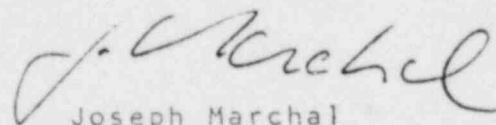
Subject: Exxon Nuclear Company, Inc.
Application of Dec. 1st 1980
for West Germany - XSNM-1770

This is to amend our letter of December 23rd, 1980.

The quantity of special nuclear material to be exported under License XSNM-1770 should be increased to 1,751 kg of U 235 contained in 51,500 kg of total U. (The original amount of material was 1,670 kg of U 235 contained in 49,200 kg of total U.)

All the other data of our letter of December 23rd, 1980 remain unchanged.

Yours sincerely,



Joseph Marchal
Secretary
Nuclear Supplies

CC: Mr. Robin De LaBarre, US Dept. of State
Ms. Betty Wright, US NRC
Mr. J.R. Kiel, Exxon Nuclear Co. Inc.