



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

January 16, 1990

The Honorable Alan Cranston
United States Senate
Washington, DC 20510

Dear Senator Cranston:

I am writing in response to your letter of December 8, 1989 forwarding a question from a constituent, Mrs. Millard A. Ferguson, regarding the NRC's licensing the export of uranium to Romania, a copy of which you enclosed.

In August 1988, the U.S. Nuclear Regulatory Commission issued a license authorizing the export to Romania of 16.478 kilograms (kgs) of high enriched uranium (HEU), in the form of fabricated fuel elements, for refueling a U.S.-supplied research reactor near Bucharest. Shipment has not been made, pending completion of transportation arrangements.

The research reactor export was authorized in 1973 for teaching, basic research, and radioactive isotope production. The model exported was a General Atomics TRIGA reactor, and a number of these have been exported by the United States to various countries. In 1978, an export of 38 kgs of HEU was licensed to fuel this reactor, pursuant to arrangements concluded under the U.S./IAEA Agreement for Cooperation. At that time (1978), an additional 16.5 kgs of HEU was authorized under the IAEA arrangements and purchased by the Romanians, but it was held in the U.S. until the reactor needed its first reload. It is this material that is in question in the 1988 license.

Romania has been deemed an acceptable recipient of this material because it meets the criteria established by statute for such exports. Briefly, these are:

Romania is a party to the Treaty for the Non-Proliferation of Nuclear Weapons (NPT) and has accepted International Atomic Energy Agency Safeguards on all its nuclear facilities and has pledged no nuclear explosive use for its entire nuclear program, including its U.S.-supplied research reactor.

The exports of the reactor and fuel meet all the requirements of the U.S. Atomic Energy Act as amended by the Nuclear Non-Proliferation Act of 1978 (the latter for the 1978 and 1988 exports).

Appropriate physical security measures are being applied to the HEU in Romania and will be applied to any additional nuclear material shipped to that country.

The Executive Branch Agencies concurring in the export license agreed that the proposed export was not inimical to the common defense and security of the United States.

9002050159 900116
PDR ORG NGPZ
PDC

FULL TEXT ASCII SCAN *QCS*
111


The Honorable Alan Cranston

2

In addition, and for your information, the pending HEU export is owned by Romania and was the last high enriched uranium fuel produced by General Atomics for TRIGA research reactors. No more HEU fuel is being produced or is otherwise available for shipment to any TRIGA reactor in the United States or elsewhere in the world. Low enriched uranium (LEU) fuel for this model of reactor is still undergoing final testing before certification by the NRC for full core reactor use. All future exports of uranium to fuel this reactor are expected to be LEU. The HEU fuel to be exported under the 1988 license would permit sufficient operation of the reactor to test prototype LEU fuel elements to allow full core conversion of the reactor to LEU fuel.

Finally, we would note that, in light of the recent events in Romania there are no near-term plans for the release of the HEU fuel from the U.S., where it remains in the custody of the U.S. Department of Energy. If the new government of Romania raises the issue with the U.S., there will be a careful reassessment of the situation to ensure that the material will be subject to strict nonproliferation commitments and adequately protected before authorizing its release.

Sincerely,


Dennis K. Rathbun, Director
Congressional Affairs
Office of Governmental and
Public Affairs

In addition, and for your information, the HEU pending export is owned by Romania and was the last high enriched uranium fuel produced by General Atomics for TRIGA research reactors. No more HEU fuel is being produced or is otherwise available for shipment to any TRIGA reactor in the United States or elsewhere in the world. Low enriched uranium (LEU) fuel for this model of reactor is still undergoing final testing before certification by the NRC for full core reactor use. All future exports of uranium to fuel this reactor are expected to be LEU. The HEU fuel to be exported under the 1988 license would permit sufficient operation of the reactor to test prototype LEU fuel elements to allow full core conversion of the reactor to LEU fuel.

Finally, we would note that, in light of the recent events in Romania there are no near-term plans for the release of the HEU fuel from the U.S., where it remains in the custody of the U.S. Department of Energy. If the new government of Romania raises the issue with the U.S., there will be a careful reassessment of the situation to ensure that the material will be subject to strict nonproliferation commitments and adequately protected before authorizing its release.

Sincerely,

Original signed by/E.Fay, Acting Director

Dennis K. Rathbun, Director
Congressional Affairs
Office of Governmental and
Public Affairs

* SEE PREVIOUS CONCURRENCE

(MC/wp:CRANSTON)

OFFICE:	GPA/IP*	GPA/IP*	GPA *	GPA/IP	GPA/CA
NAME:	MBCongdon:eb	CNSmith	KHenderson	JRShea	DKRathbun
DATE:	1/ /90	1/ /90	1/ /90	1/11/90	1/16/90