



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

JAN 4 1991

MEMORANDUM FOR: The File  
FROM: *R. Hauber*  
Ronald D. Hauber, Assistant Director  
for Exports, Security, and Safety Cooperation  
International Programs  
SUBJECT: IMPORT OF A TOPAZ II REACTOR SYSTEM FROM THE USSR

On December 28, 1990 the Department of Defense Strategic Defense Initiative Organization (SDIO) requested approval for importing an inoperative model of the TOPAZ II reactor system into the United States for exhibit at the 8th Space Nuclear Power Symposium to be held in Albuquerque, New Mexico on January 6-10, 1991. Space Power, Inc. of 621 River Oaks Parkway, San Jose, California, a U.S.-owned and controlled company is acting on behalf of SDIO and will be the licensee for this import.

The NRC was notified on December 21, 1990 that the exhibit was presently enroute to New York for transshipment under seal to Albuquerque, New Mexico where it is planned to be presented to U.S. Customs officials for entry and subsequent SDIO-sponsored exhibition at the symposium. In view of the imminent arrival of the equipment, the normal 15-day waiting period for the issuance of a license is waived.

In accordance with 10 CFR § 110.44(b), the Commission will issue an import license if it finds that the proposed import would not be inimical to the common defense and security or constitute an unreasonable risk to the public health and safety and that any applicable requirements of Subpart A of Part 51 have been satisfied.

Since the equipment is inoperable and does not contain the fuel, moderator or coolant; has never been operated as a reactor; and there is no radioactivity, induced or otherwise, the staff finds that the import would not constitute an unreasonable risk to the public health and safety.

Additionally, because the import is recommended by the SDIO of the Department of Defense and because the equipment will be received by an authorized recipient, Sandia National Laboratory in Albuquerque, New Mexico, a contractor of the Department of Energy (which is authorized to possess utilization facilities), the staff has determined that the proposed import would not be inimical to the common defense and security.

In view of the above findings and determinations, the Commission will issue the import license on January 4, 1991.

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