



SECRETARY

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

October 17, 2019

Mr. Sven Van den Berghe
NMS Institute Director
Belgian Nuclear Research Centre
Avenue Hermann-Debrouxlaan
40-BE-1160 Brussels
Belgium

Mr. Eric van Walle
Director-General
Belgian Nuclear Research Centre
Avenue Hermann-Debrouxlaan
40-BE-1160 Brussels
Belgium

Dear Messrs. Van den Berghe and van Walle:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of October 3, 2019, to Chairman Svinicki regarding the Export License Application of the U.S. Department of Energy (DOE) (Docket No. 11006361). In your letter, you offer your response to statements made by Curium LLC regarding operation of your BR2 reactor in their petition for a hearing on the export license application.

Because your letter bears on a proceeding pending before the Commission, it would be inappropriate for the Chairman to discuss the matter at this time. This is because the Commission must remain impartial during the pendency of the proceeding.

A copy of your letter and this response will be served on the participants in the DOE Export License Application proceeding.

Sincerely,

A handwritten signature in blue ink, appearing to read "Annette Vietti-Cook", with a stylized flourish at the end.

Annette L. Vietti-Cook

Eric van Walle
Director-General
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Chairman Kristine L. Svinicki
U.S. Nuclear Regulatory Commission
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your message from

your reference

our reference

SCK•CEN/35398262
2019-34_NMS-SVdB

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2019-10-03

Reaction to the false statements in the CURIUM petition opposing the IRE export license request

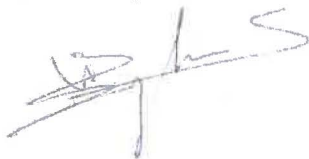
Dear Madam, Dear Sir,

It is with great disbelief and concern that the Belgian Nuclear Research Centre SCK•CEN has learned that CURIUM LLC wrongly states in its petition for a hearing regarding the export license request of IRE (Docket No. 110-06361), dated September 13, 2019, that our BR2 reactor was recently fueled with Russian fuel. The statement was signed by Roy Brown (VP of Government Affairs and Strategic Alliances at CURIUM LLC.). The lack of verification effort put into this statement, which would have been easy to prove false, obviously casts serious doubt on the level of rigor which went into drawing up the petition.


Although we fail to understand the relevance to claim that BR2 is using Russian (HEU) fuel, quod non, in a petition opposing IRE's export license request, it is our concern that such a statement could cast doubts on the long standing and fruitful collaboration of SCK•CEN and more broadly Belgium with the United States, on our shared commitment to minimize the use of HEU when technically and economically feasible and on our commitment to assist other research reactors in the United States and in Europe to convert to LEU in a timely manner, while always giving appropriate priority to the security of medical radioisotopes supply to the United States, Europe and the world. We are furthermore concerned the false statement could potentially negatively impact any future export license request we expect to submit to fuel the BR2 reactor as we complete our conversion program. SCK•CEN therefore has also duly informed the Belgian government of the erroneous claims in the petition.

We would thus like the official record to show that BR2 is the only nuclear reactor in the Mo-99 production fleet for CURIUM and IRE, that is currently and has always been fueled with US-origin fissile materials and US and European produced fuel assemblies since its first criticality in 1962. SCK•CEN has been, is and will continue to be committed to put the patients first by helping to secure the global supply of medical radioisotopes, as we consistently have done in the past, even in priority to our own research activities.

Yours sincerely,



Sven Van den Berghe
NMS Institute Director



Eric van Walle
Director-General

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
)	
U.S. DEPARTMENT OF ENERGY)	Docket No. 11006361
)	
)	License No. XSNM3810
(Export of 93.35% Enriched Uranium))	
)	

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Letter from NRC Secretary, Annette Vietti-Cook, to Sven Van den Berghe and Eric van Walle of the Belgian Nuclear Research Centre** have been served upon the following persons by Electronic Information Exchange or, as indicated by an asterisk, by electronic mail.

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U.S. DEPARTMENT OF ENERGY (Docket No. 11006361)

Letter from NRC Secretary, Annette Vietti-Cook, to Sven Van den Berghe and Eric van Walle of the Belgian Nuclear Research Centre

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[Original signed by Herald M. Speiser]
Office of the Secretary of the Commission

Dated at Rockville, Maryland,
this 17th day of October 2019