

**Congress of the United States**  
**Washington, DC 20515**

September 27, 2019

The Honorable Kristine Svinicki  
Chairman  
U.S. Nuclear Regulatory Commission  
Mail Stop O-16 B33  
Washington, DC 20555

Dear Commissioner Svinicki:

We write in support of the Commission granting a public, oral hearing regarding the Institute for Radioelement's (IRE) recent Highly Enriched Uranium (HEU) Export License Application.

Our constituent, Curium, filed a Request for Hearing with the Commission in an effort to prevent circumvention of the statutory export license sunset established by the American Medical Isotope Production Act (AMIPA).

As mandated by AMIPA, upon the joint certification of the Secretary of Energy and Secretary of Health and Human Services that there is a sufficient supply of Molybdenum-99 (Mo-99) produced without the use of HEU available to meet the domestic needs of patients, a ban will go into effect in January 2020. The ban promotes the two main goals of AMIPA which is centered around establishing a reliable domestic supply of non-HEU Mo-99 and reducing nuclear security risks associated with the transport of HEU from the United States to foreign nations.

We understand that since AMIPA was enacted in 2013, every marketplace participant except IRE has managed to convert their Mo-99 operations from HEU to non-HEU or implement non-uranium processes. IRE's continued failure to convert their Mo-99 and I-131 operations has created a competitive disadvantage for domestic companies. The conversion process took many years of effort and cost producers millions of dollars. Unfortunately, after a costly conversion process, producers using non-HEU operations are faced with a production efficiency loss when compared to HEU operations.

From information provided by industry stakeholders, we know that Curium, an industry leader with more than 400 employees in the U.S., which produces more than forty percent of the Mo-99 used worldwide, successfully converted both Mo-99 and Xe-133 operations in 2017. To date, domestic market place participants like Curium who have duly complied with conversion requirements or implemented non-uranium processes face a twenty percent production efficiency loss from the associated cost of production.

Moreover, one of AMIPA's major policy pillars was an effort to thwart any associated nuclear security threats stemming from the exportation of HEU. However, because HEU is a dangerous, highly fissile material that can be used to build a nuclear weapon or improvised nuclear device, the issuance of a new export license will continue to foster a nuclear threat during its transportation.

Based on our constituent's assertions that IRE's application for nearly 5 kilograms of HEU for Mo-99 and I-131 production is unwarranted and, if granted, unnecessarily circumvents the intent of the statutory license ban and goes against the directives of Congress, we are hopeful the Commission will grant a public, oral hearing.

Sincere regards,

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Roy Blunt  
United States Senator

A handwritten signature in blue ink, appearing to read "Ann Wagner", with a long horizontal flourish extending to the right.

Ann Wagner  
Member of Congress

Cc: The Honorable Rick Perry, Secretary, Department of Energy  
Commissioner Baran, U.S. Nuclear Commission  
Commissioner Caputo, U.S. Nuclear Commission  
Commissioner Wright, U.S. Nuclear Commission