



OFFICE OF THE
SECRETARY

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

RELEASED TO THE PDR

12/30/92

date

initials

December 15, 1992

MEMORANDUM FOR: Harold R. Denton, Director
Office of International Programs

FROM: Samuel J. Chilk, Secretary

SUBJECT: SECY-92-399 - DOE SUBSEQUENT ARRANGEMENT
REQUEST TO RETRANSFER PLUTONIUM FROM FRANCE
TO BELGIUM FOR FABRICATION INTO MOX FUEL FOR
EURATOM POWER REACTORS

The Commission (with all Commissioners agreeing) has approved the proposed response to DOE with the changes indicated in the attachment.

Attachment:
As stated

cc: The Chairman
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
Commissioner de Planque
EDO
OGC
OIG
Office Directors, Regions, ACRS, ACNW (via E-Mail)
OP, SDBU/CR, ASLBP (via FAX)

SECY NOTE: THIS SRM, SECY-92-399, AND THE VOTE SHEETS OF THE
CHAIRMAN, AND COMMISSIONERS ROGERS, CURTISS AND
de PLANQUE WILL BE MADE PUBLICLY AVAILABLE 10
WORKING DAYS FROM THE DATE OF THIS SRM

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FOZ
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DRAFT

Mr. Salvador N. Ceja
Acting Director
Office of Nuclear Nonproliferation
Policy
U.S. Department of Energy
Washington, DC 20585

and contingent upon the
Department of Defense
not objecting,

Ref: Your 10/8/92 Memo to WClements, et al.; Request for
Subsequent Arrangements Under the NNPA of 1978

Dear Mr. Ceja:

The Nuclear Regulatory Commission has reviewed the subsequent arrangement request from Switzerland for the transfer of 215 kilograms of plutonium, derived from U.S.-origin material, from France to Belgonucleaire, Belgium for fabrication of mixed uranium-plutonium oxide (MOX) fuel assemblies for use as power reactor fuel within the European Community. We understand the plutonium is intended to replace an equivalent amount of fissile plutonium, not of U.S. origin, that previously was loaned by Belgonucleaire to Swiss reactor operator Nordostschweizerische Kraftwerk AG (NOK).

The Commission understands that the Department of Defense has completed a preliminary review under Section 153 of the Atomic Energy Act and has no objection to the approval of the subsequent arrangement, but has not yet communicated formal comments to this effect. We also understand that this subsequent arrangement will not be approved until the Secretary of Defense or his designee has made this communication. Based on this understanding, the Commission does not object to the proposed subsequent arrangement. We would like to be notified, however, if the Department of Defense identifies any problem with the subject request.

Sincerely,

Ronald D. Hauber, Assistant Director
Exports, Security, and Safety Cooperation
Office of International Programs

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Attachment 2