

August 31, 2006

Mr. Alan J. Kuperman, Senior Policy Analyst
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 600
Washington, D.C. 20036

Dear Mr. Kuperman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of June 12, 2006, regarding NRC's policy of redacting information on the quantities of highly enriched uranium (HEU) requested in export license applications. You also expressed your concern that this policy does not allow for meaningful public comment.

After considering your recommendations and various other factors, NRC will discontinue automatically withholding material quantity information from the public versions of export license applications. As such, the NRC intends to disclose quantity information for enriched uranium above 6% U-235, mixed oxide materials, and certain other radionuclides absent an NRC determination of a compelling reason for nondisclosure. *Federal Register* notices for proposed HEU exports will also include quantities requested. However, the NRC will continue to withhold information on projected or actual shipment schedules, delivery dates, date required, mode of transport, storage arrangements, or any other related logistical information provided by either the applicant, the licensee, other parties to the transaction or added by NRC, as this information could be useful to a potential adversary.

Concerning your recommendation regarding public comment periods for HEU export license applications, the NRC encourages public comments on export and import license applications and will consider such comments when they are submitted. Without setting specific deadlines, NRC regulations state that if possible, comments should be submitted within 30 days after public notice of receipt of an application. If an export application is one that requires a *Federal Register* notice (10 CFR 110.70(b)), the 30 days is counted from the date of such notice and not from the date it was made available in the public document system.

Sincerely,

/RA/

Dale E. Klein

Identical letter sent to:

Mr. Alan J. Kuperman, Senior Policy Analyst
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 600
Washington, D.C. 20036

Mr. Paul L. Leventhal, Founding President
Nuclear Control Institute
1000 Connecticut Avenue, NW
Suite 600
Washington, D.C. 20036