From: "Goltz, Jim A." <jim.goltz@retechsystemsllc.com>
To: PublicComments@bis.doc.gov
Date: Wed, Feb 2, 2011 6:35 PM
Subject: FW: Notice of Inquiry-CCL

Timothy Mooney

Office of Exporter Services

Regulatory Policy Division

Bureau of Industry and Security

Department of Commerce

1401 Constitution Ave. NW

Washington, DC 20230

Dear Mr. Mooney

We are pleased to provide the following comments regarding the Advanced notice of proposed rulemaking posted in the Federal Register on 12/16/2010 (Commerce Control List: Revising Descriptions of Items and Foreign Availability).

Retech exports items with the following classifications: 2B226, 2B227 &9B001. We do not have an issue with the description of the items on the CCL, other than 2B226. This category includes furnaces for the casting of equiax components. The most common application is the precision casting of turbine blades. As these blades can very well be used in jet or rocket engines, National Security is often cited as the reason behind license denials. The casting of these type blades are typically done in furnaces with a relatively small melting capability as the parts are , themselves, small. These furnaces are below 50kg melt charge capacity. Furnaces that have a capacity of 50kg or higher are used for casting blades that are much too large for these applications. The blades used in industrial gas turbines can be up to three feet long. As power generation equipment does not represent a national security risk we propose that furnaces with a melt capacity over 50kg be classified separately from furnaces with smaller capacities. The balance of the specifications are adequately descriptive and specific.

We would like to comment on the tiers we believe these equipments should be placed within. The notice "...includes a request for comments on the degree to which a controlled item provides the United States with a

critical, substantial, or significant military or intelligence advantage". We do not believe that the equipment in question provides the U.S. with any military or intelligence advantage as it is produced in countries other than those listed in the notice as being part of existing control regimes (China and Russia). In addition there is no advantage since the items are routinely approved for export by nations included in the list (Germany and the UK) to end users that have been declined when we have applied for licenses from the U.S. Government. Substantive information regarding this circumstance was provided in a letter dated November 2, 2009 to:

Mr. Steven Claggett

Director, Nuclear and Missile Technology Division

Office of Nonproliferation Controls and Treaty Compliance

We would be pleased to furnish you with a copy of the submission if it is not available to you. As a result we do not feel that the equipment should be on the CCL at all but as you have stated that removing items from the CCL is not a subject for this request it seems appropriate that the equipment be listed no higher than Tier 3.

Thank you for the opportunity to comment on this issue.

James Goltz

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