



DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

OCT 17 1979

Mr. James R. Shea  
Director of International Programs  
United States Nuclear Regulatory Commission  
Room 6714 - MNBB  
Bethesda, Maryland

Dear Mr. Shea:

This letter is in response to the Commission's letter dated March 6, 1979, requesting Executive Branch views as to whether issuance of an export license in accordance with the application hereinafter described would be inimical to the common defense and security of the United States, and whether the proposed export meets the applicable criteria in the Atomic Energy Act as amended by the Nuclear Non-Proliferation Act of 1978:

NRC No. XSNM01471 -- Application by Westinghouse Electric Corporation for authorization to export to the Philippines 4,300 kilograms of U-235 contained in 121,000 kilograms of uranium enriched to 3.6 percent. This low enriched uranium in the form of fabricated fuel assemblies will be shipped to the Philippines for the initial core and three reloads of the Philippine Nuclear Power Plant No. 1.

The proposed export would take place pursuant to the Agreement for Cooperation Between the United States and the Philippines as confirmed in a letter from the Embassy of the Philippines, a copy of which is enclosed. The Philippines has adhered to the provisions of its Agreement for cooperation with the United States.

The Executive Branch has reviewed the application and concluded that the requirements of the Atomic Energy Act as amended by P.L. 95-242 have been met and that the

*Philippine Nuc  
Power Plant Unit  
Initial Core &  
3 reloads  
XSNM01471  
11000895*

EX-107/8/P/PT  
AND  
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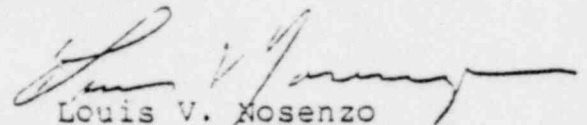
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proposed export will not be inimical to the common defense and security of the United States. A detailed analysis for the Philippines was submitted for NRC application no. XR-120 on September 28, 1979. There has been no material change in circumstances since that submission.

On the basis of the foregoing, the Executive Branch recommends that the license be issued.

Sincerely,



Louis V. Xosenzo  
Deputy Assistant Secretary

Enclosure:  
Assurance letter

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EMBASSY OF THE PHILIPPINES  
WASHINGTON, D. C. 20038

12 October 1979

Sir:

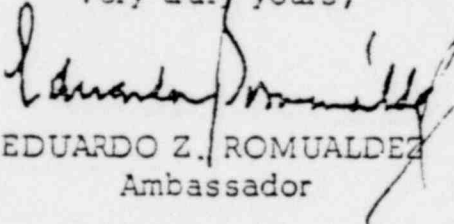
POOR ORIGINAL

I have the honor to refer to your letter of April 4, 1979 concerning export license application XSNM01471 for low-enriched uranium fuel destined for the Nuclear Power Plant of the National Power Corporation being constructed in the Bataan peninsula in the Philippines.

The Philippine Government hereby confirms that the material covered by the export license application referred to will be subject to all the terms and conditions of the Agreement for Cooperation between the Government of the United States and the Government of the Philippines concerning Civil Uses of Atomic Energy.

The Philippine Government also confirms that the National Power Corporation is authorized to receive and possess the material in question.

Very truly yours,

  
EDUARDO Z. ROMUALDEZ  
Ambassador

Mr. Vance H. Hudgins  
Assistant Director for Politico-  
Military Security Affairs  
Division of International Security Affairs  
U.S. Energy Research and Development Administration  
Washington, D.C. 20545

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