



DEPARTMENT OF STATE

Washington, D.C. 20520

ACC XCOM 0142
Amendment No. 01
11000405

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BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS 4 PM 4 2

JUN 01 1979

EXPORT/IMPORT
AND
INTERNAT'L SFGRD.

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

Dear Mr. Shea:

I refer to your letter dated April 13, 1979, re-
questing Executive Branch views as to whether amend-
ment of an export license in accordance with the
application hereinafter described would be inimical
to the common defense and security of the United
States:

NRC No. XCOM0142 Amendment No. 1 -- Appli-
cation by Westinghouse Electric Corporation
for amendment of license XCOM0142 to add
new ultimate consignees in France for the
export of nuclear reactor components in-
cluding reactor internals, pressure tubes,
zirconium tubes, control rod drive mech-
anisms, parts and components for fuel
charging and discharging machines, control
rods and primary coolant pumps, and various
other parts and components specially de-
signed or prepared for use in nuclear re-
actors. Intermediate consignee is Framatome
in France. New ultimate consignees are:
Chinon 1 & 2 in Indre-et-Loire, Cruas 1, 2,
3, & 4 in Ardeche, St. Maurice 1 & 2 in Isere,
Flomanville 1 & 2 in Manche and Cattenom 1 &
2 in Moselle.

It is the judgment of the Executive Branch that
the export contemplated will not be inimical to the
common defense and security of the United States, and
that this export is consistent with the provisions of
the Atomic Energy Act of 1954, as amended by the Nu-
clear Non-Proliferation Act of 1978.

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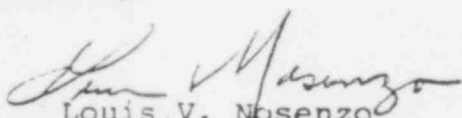
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As France is a nuclear weapons state member of the European Community (EURATOM), the first criterion required for the export of reactor components under Section 109b. of the Atomic Energy Act, as amended, IAEA safeguards, does not apply. However, nuclear exports to France are subject to EURATOM safeguards under Article V of the Additional Agreement for Cooperation of 1960, as amended, which incorporates Articles XI, XII and Annex B of the November 8, 1958 Joint Program Agreement, as amended. In accordance with Article V, the European Community undertakes the responsibility for establishing and implementing a safeguards and control system designed to give maximum assurance that any nuclear material supplied by the U.S. or generated from such supply will be used solely for peaceful purposes (EURATOM Safeguards System).

The second and third criteria have been met for France by specific assurances contained in a letter from the Delegation of the Commission of the European Communities, the subject of my letter to you dated February 1, 1979. These assurances exclude nuclear explosive use for any of these U.S. exports and confirm the right of prior U.S. consent for any retransfers outside of the Community.

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

Sincerely,


Louis V. Nosenzo
Deputy Assistant Secretary

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