MITSUI & CO. (U.S.A.), INC.
IMPORTERS AND EXPORTERS
200 PARK AVENUE
NEW YORK, N.Y. 10017

TELEPHONE
(212) 973-4600
TWX 710-581-2788
WU 012056

CABLE ADDRESS
"MITSUI NEWYORK"
RCA TELEX 232613
ITT TELEX 420153
WUI TELEX 620251

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U.S. NRC
1978 OCT 6 PM 3 07

September 29, 1978

EXPORT/IMPORT
AND
INTERNAT'L SFGRDS

Mr. Raymond N. Moore
U.S. Nuclear Regulatory Commission
Office of Nuclear Material Safety and Safeguard
Agreements and Export Branch
Washington, DC 20555

Dear Mr. Moore:

This is in reference to the telephone conversation between you and our Mr. Suzuki today. We would appreciate it if you could amend Section 8 (b) of Export License XSNM 01276, XSNM 01272 and of our application XSNM 01285 to increase the nominal enrichment maximum percentage as follows:

XSNM 01276	from	3.01 percent	to	3.06 percent
XSNM 01272	from	3.07 percent	to	3.12 percent
XSNM 01285	from	3.80 percent	to	3.85 percent

This amendment is for any contingency due to possible enrichment variation.

Your kind attention in this matter is most appreciated.

Very truly yours,

T. Morden
Vice President and
General Manager

TM/lab

7903290155

DEPARTMENT OF STATE

Washington, D.C. 20520

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BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

1979 JAN 19 PM 1 34

January 17, 1979

EXPORT/IMPORT
AND
INTERNAT'L SFGRDS

XSNM01285
70-2829

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 your letter dated March 15, 1978, 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 of the Atomic Energy Act as amended by the Nuclear Non-Proliferation Act of 1978:

> NRC No. XSNM01285 -- Application by the Mitsubishi International Corporation for authorization to export to Japan 52 kilograms of uranium-235 contained in 1,897 kilograms of uranium enriched to 3.8 percent. The material in the form of uranium hexafluoride will be shipped to the Sumitomo Metal Mining for conversion into uranium dioxide, then transferred to the Japan Nuclear Fuel Company, Ltd. for fabrication into fuel assemblies. The assemblies will be used for reload of Unit 2 of the Hamaoka Nuclear Power Plant in Japan.

The proposed export would take place pursuant to the Agreement for Cooperation Between the United States and Japan as confirmed in a letter from the Embassy of Japan dated November 20, 1978. Japan has adhered to the provisions of its Agreement for Cooperation with the United States.

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

export will not be inimical to the common defense and security of the United States. A detailed analysis was submitted for Japan on December 12, 1978 for NRC license applications nos. XSNM-1291, 1300, 1301, 1304, 1303, 1315 and 1365. There has been no material change in circumstances since the submission of that analysis.

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

Sincerely,

Louis V. Nosenzo
Deputy Assistant Secretary

Enclosure:
Assurance letter

EMBASSY OF JAPAN
2520 MASSACHUSETTS AVENUE, N.W.
WASHINGTON, D.C. 20008
(202) 234-2266

November 20, 1978

Colonel Vance H. Hudgins
Assistant Director for
Politico-Military Security Affairs
Division of International Security Affairs
Department of Energy
Washington, D.C. 20545

Dear Colonel Hudgins:

Concerning import of the special nuclear material for the facility noted below, this will confirm that the Government of Japan appointed the Chubu Electric Power Company, Inc.
as an authorized person under the terms and conditions pursuant to Article VI of the Agreement for Cooperation between the Government of the United States of America and Government of Japan concerning Civil Uses of Atomic Energy which entered into force on July 10, 1968, amended by the Protocol on December 21, 1973.

Fuel for the Hamaoka Nuclear Power Station Unit No. 2: 52 kgs of U-235 contained in 1,897 kgs of uranium (3.85 % maximum enrichment)

Further, it is confirmed that the transfer of the special nuclear material identified above will take place under all the terms and conditions of the Agreement for Cooperation between our Governments, and that the appointee(s) named above have been authorized to receive and possess the material by both Governments.

Also, the Government of Japan confirms that the safeguards and guarantees of the Agreement for Cooperation will always apply to this special nuclear material, except for that material subsequently retransferred with the written approval of the United States.

Sincerely yours,

Kazuo Suzuki

Kazuo Suzuki
First Secretary (Scientific)

Ref: This is in reference to the case number of S-954 stated in your letter dated March 22, 1978.

The intermediate consignees, Sumitomo Metal Mining Company, Ltd. and Japan Nuclear Fuel Company, Ltd., are also authorized to receive and possess the material.

EXPORT LICENSE

FORM NRC-250
(7-75)

THIS LICENSE EXPIRES _____

NRC LICENSE NO.

XSNM01285

United States of America
Nuclear Regulatory Commission

Pursuant to the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974 and the regulations of the Nuclear Regulatory Commission issued pursuant thereto, and in reliance on statements and representations heretofore made by the licensee, a license is hereby issued to the licensee authorizing the export of the materials and/or production or utilization facilities listed below, subject to the terms and conditions herein.

LICENSEE

NAME: Mitsui & Co. (U.S.A.), Inc.

ADDRESS: 200 Park Avenue
New York, New York 10017

Attn: T. Nahara

ULTIMATE CONSIGNEE IN FOREIGN COUNTRY

NAME: The Chubu Electric Power Company, Inc.

ADDRESS: 1, Toshin-cho, Higashi-ku
Nagoya, Japan

INTERMEDIATE CONSIGNEE IN FOREIGN COUNTRY

NAME: For Fabrication:
(1) Nuclear Fuel Industries, Ltd.
2-3-1 Nagasaka, Yokosuka-shi
Kanagawa-ken, Japan
or

ADDRESS: (2) Japan Nuclear Fuel Co., Ltd.
907 Uchikawa Shinden, Yokisuka-shi
Kanagawa-ken, Japan

OTHER ~~PARTIES TO EXPORT~~ Intermediate Consignees

For Conversion:
(3) The Sumitomo Metal Mining Co., Ltd.
11-3, 5-chome Shimbashi, Minato-ku
Tokyo, Japan

(4) For Transportation:
Mitsui & Co., Ltd.
1-2-1, Ohtemachi
Chiyodaku, Tokyo, Japan

APPLICANT'S REF. NO.: MBK-H2R1

COUNTRY OF ULTIMATE DESTINATION: Japan

QUANTITY	DESCRIPTION OF MATERIALS OR FACILITIES
52	kilograms uranium-235 Contained in 1,897 kilograms uranium, as uranium hexafluoride (UF6), enriched to 3.85 w/o maximum.
	Condition 6 on page two of this license applies to this export.
	END

Neither this license nor any right under this license shall be assigned or otherwise transferred in violation of the provisions of the Atomic Energy Act of 1954, as amended and the Energy Reorganization Act of 1974.

This license is subject to the right of recapture or control by Section 108 of the Atomic Energy Act of 1954, as amended and to all of the other provisions of said Acts, now or hereafter in effect and to all valid rules and regulations of the Nuclear Regulatory Commission.

THIS LICENSE IS INVALID UNLESS SIGNED BELOW BY AUTHORIZED NRC REPRESENTATIVE

Gerald G. Oplinger, Assistant Director
Export/Import and International
Safeguards
Office of International Programs

DATE OF ISSUANCE _____

EXPORT LICENSE

U.S. NUCLEAR REGULATORY COMMISSION
EXPORT LICENSE

Conditions

License Number XSNM01285

Condition 1 — Licensee shall file with the Customs Officer or the Postmaster two copies, in addition to those otherwise required, of the Shipper's Export Declaration covering each export and mark one of such copies for transmittal to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. The following declaration should accompany or be placed on the Shipper's Export Declarations for such exports:

> "This shipment is being made pursuant to specific license number (**specific license number**) filed at (**location of Customs office where license is filed**), on (**date license was filed**). This license expires on (**expiration date of license**), and the unshipped balance remaining on this license is sufficient to cover the shipment described on this declaration."

Condition 2 — Exports authorized in any country or destination, except Country Groups Q, S, W, X, Y, and Z in Part 370, Supplement No. 1, of the Comprehensive Export Schedule of the U.S. Department of Commerce.

Condition 3 — This license covers only the nuclear content of the material.

Condition 4 — The material to be exported under this license shall be shipped in accordance with the physical protection requirements for special nuclear material in 10 CFR 73.

Condition 5 — Special nuclear material authorized for export under this license shall not be transported outside the United States in passenger-carrying aircraft in shipments exceeding (1) 20 grams or 20 curies, whichever is less, of plutonium or uranium 233, or (2) 350 grams of uranium 235.

Condition 6— This license authorizes export only and does not authorize the receipt, physical possession, or use of the nuclear material.

Condition 7 — The licensee shall complete and submit an NRC Form 741 for each shipment of source material exported under this license.

Condition 8 — The licensee shall advise the NRC in the event there is any change in the designation of the company who will package the nuclear material to be exported under this license, or any change in the location of the packaging operation, at least three weeks prior to the scheduled date of export.