



DEPARTMENT OF STATE

Washington, D.C. 20520

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ENVIRONMENTAL AND SCIENTIFIC AFFAIRS MAR 31 PM 2 02

MAR 28 1980

EXPORT/IMPORT
AND
INTERNATIONAL SFGRDS

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

Dear Mr. Shea:

XSNM01657
11001060
multiple rel. 2
Tihange I
Belgium

This letter is in response to the letter from your office dated February 28, 1980, 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 of 1954, as amended by the Nuclear Non-Proliferation Act of 1978:

NRC No. XSNM01657 -- Application by EXXON Nuclear Company Inc. for authorization to export to Belgium via the Federal Republic of Germany 1,940 kilograms of U-235 contained in 55,440 kilograms of uranium enriched to a maximum of 3.5 percent. The low enriched uranium in the form of UO_2 fuel pellets, fuel rods and fuel elements will be shipped to EXXON Nuclear GmbH, Lingen, FRG, for fabrication into fuel assemblies for two reloads of the Tihange 1 Nuclear Power Plant in Belgium.

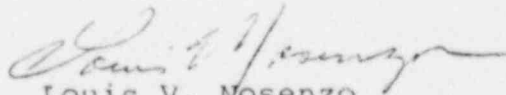
The proposed export would take place pursuant to the Additional Agreement for Cooperation Between the United States and the European Atomic Energy Community (EURATOM) as confirmed in a letter from the Delegation of the Commission of the European Communities, a copy of which is enclosed. EURATOM has adhered to the provisions of its Agreement for Cooperation with the United States.

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The Executive Branch has reviewed this application and concluded that the requirements of the Atomic Energy Act, as amended by the Nuclear Non-Proliferation Act of 1978, 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 for EURATOM was submitted November 27, 1979 for NRC application No. XU08427. In view of Executive Order 12193, extending the duration of the period specified in the first proviso to Section 126a(2) of the Atomic Energy Act of 1954, as amended, to March 10, 1981, that detailed analysis remains valid. There has been no other 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. Nosenzo
Deputy Assistant Secretary

Enclosure:
Assurance letter

DELEGATION OF THE COMMISSION OF THE EUROPEAN COMMUNITIES

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EURATOM SUPPLY AGENCY

March 11, 1980

Mr. Vance H. Hudgins
Director, Division of Politico-
Military Security Affairs
Office of International Security Affairs
U.S. Department of Energy
Washington, D.C. 20585

Dear Mr. Hudgins:

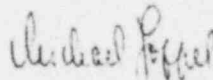
Subject: Exxon Nuclear Company, Inc. application dated
February 15, 1980 for Belgium - XSNMol657

We certify that the material mentioned in this application, namely 1,940 kilograms of U235 contained in 55,440 kilograms of total uranium, and the transfer of this material will be subject to all terms and conditions of the Additional Agreement for Cooperation, dated July 25, 1960, as amended.

Further, we certify that Exxon Nuclear GmbH, Lingen, West Germany, as intermediate consignee (for assembly of fuel pellets into fuel elements only), and SEMO, S.A., Brussels, Belgium, as ultimate consignee, are authorized by EURATOM to receive and possess this material pursuant to the aforementioned Agreement for Cooperation.

The material will be used for two annual reloads for the Tihange-1 nuclear power reactor located in - Belgium.

Sincerely,


M. Goppel

ajs

cc: ✓ Mr. Robin De LaBarre, U.S. Department of State
Ms. Betty Wright, U.S. Nuclear Regulatory Commission
Mr. L.E. Hansen, Exxon Nuclear Company, Inc.