



DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

MAY 15 1980

EXPORT
CONTROL
OFFICE

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

XSNM01653
11001052

Dear Mr. Shea:

This letter is in response to the letter from your office dated February 27, 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 (P.L. 95-242):

NRC No. XSNM01653 -- Application by EXXON Nuclear Company Inc. for authorization to export to Sweden via the FRG 1,010 kilograms of U-235 contained in 33,660 kilograms of uranium enriched to a maximum of 3.8 percent. This low-enriched uranium in the form of UO₂ fuel pellets, fuel rods and fuel elements will be shipped to EXXON Nuclear GmbH, Lingen, FRG, for fuel fabrication for two reloads of the Barsebaeck 1 Nuclear Power Plant.

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

The proposed export to the intermediate consignee in the Federal Republic of Germany (EURATOM) would take place pursuant to the Additional Agreement for Cooperation Between

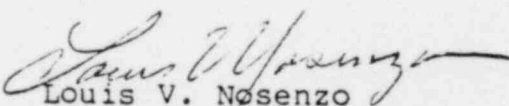
8005290 114

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.

The Executive Branch has reviewed this application and concluded that the requirements of the Atomic Energy Act as amended by 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 for Sweden was submitted December 9, 1978 for NRC application No. XSNM-1247 and for EURATOM, November 27, 1979 for 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 those submissions.

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

Sincerely,


Louis V. Nosenzo
Deputy Assistant Secretary

Enclosure:
Assurance letters

DELEGATION OF THE COMMISSION OF THE EUROPEAN COMMUNITIES

EURATOM SUPPLY AGENCY

March 19, 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:

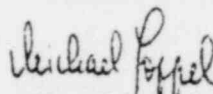
Subject: Exxon Nuclear Company, Inc. application dated
February 12, 1980 for Sweden - XSNM01653

We certify that the material mentioned in this application, namely 1,010 kilograms of U235 contained in 33,660 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 (for assembly of fuel elements only), as intermediate consignee, is authorized by EURATOM to receive and possess this material pursuant to the aforementioned Agreement for Cooperation.

The material, after assembly into reactor fuel elements, is destined for use in Sweden.

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.

SWEDISH EMBASSY

Washington, May 8, 1980

Mr Vance H Hudgins
Director
Division of International
Security Affairs
Department of Energy
Washington, DC 20545

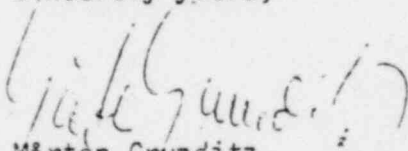
Re application XSNM ¹⁶⁵³~~1563~~

Dear Mr Hudgins:

I wish to refer to your letter of March 10, 1980, regarding an application from Exxon Nuclear Co. for a license to export 33,660 g U containing 1,010 kg U-235 to Sydkraft AB, Malmö, Sweden. The material will be used in Barsebäck 1.

I am now able to inform you that the above mentioned material will be subject to all terms and conditions of the US-Swedish agreement of cooperation regarding civil uses of atomic energy. Sydkraft AB is authorized to receive and possess the material.

Sincerely yours,


Mårten Grunditz
First Secretary of Embassy