



DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

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

XSNM00844
70-2125
amend.

Dear Mr. Shea:

This letter is in response to the letter from your office dated May 6, 1980, requesting Executive Branch views as to whether amendment 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. XSNM00844 -- Application by Westinghouse Electric Corporation for amendment to license XSNM00844 to extend the expiration date from June 1, 1980 to December 31, 1981. The low enriched uranium authorized for export under this license is in the form of fuel assemblies for the Almaraz Nuclear Power Plant.

The proposed export would take place pursuant to the Agreement for Cooperation Between the United States and Spain as previously confirmed in letters from the Embassy of Spain, copies of which were submitted with Executive Branch views May 8, 1978 and 1976. Spain has adhered to the provisions of its Agreement for Cooperation with the United States.

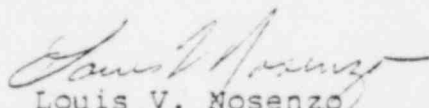
The Executive Branch has reviewed the application and concluded that the requirements of the Atomic Energy Act as amended by P.L. 95-242 have been met and that the proposed license extension will not be inimical to the common defense and security of the United States. It is

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the view of the Executive Branch that the provisions of Section 128 do not apply to this application as it merely extends the time period under which shipment of nuclear fuel, begun in May 1978 under the existing license, may continue. No increase in amount is included in this extension. A detailed analysis for Spain was submitted for NRC application No. XSNM01477 on September 19, 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 amendment be issued.

Sincerely,


Louis V. Nosenzo
Deputy Assistant Secretary