



United States Department of State

Washington, D.C. 20520

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BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

January 25, 1990

Mr. James R. Shea
Director of International Programs
United States Nuclear Regulatory Commission
Rockville, Maryland

Dear Mr. Shea:

This letter is in response to the letter from your office dated January 9, 1990, requesting Executive Branch views as to whether issuance of an export license in accordance with the application hereinafter described meets the applicable criteria of the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978:

NRC No. XCOM1029 — Application by Reuter Stokes Inc. for authorization to export to Mexico a fission chamber containing 1.4 grams of 93 percent enriched uranium to measure neutron flux levels of the Salazar TRIGA Reactor operated by the National Institute of Nuclear Research (ININ). This fission chamber is being exported to replace a unit exported under license XCOM1010 and subsequently returned to the U.S. when damaged.

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 the export is consistent with the provisions of the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978.

As an NPT party, Mexico has committed itself to maintaining IAEA safeguards on all of its peaceful nuclear activities and has pledged not to produce or otherwise acquire any nuclear explosive device. It is therefore the judgment of the Executive Branch that Criteria (1) and (2) for exports of reactor components under Section 109 of the Atomic Energy Act, as amended, are met. The remaining criterion, agreement not to retransfer any U.S.-supplied component or material without prior U.S. consent, has been satisfied by an assurance letter from the National Institute of Nuclear Research, dated February 9, 1988, a copy of which was provided with our letter of April 8, 1988 regarding XCOM1010.

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

Sincerely,

Richard J. K. Stratford
Deputy Assistant Secretary
Nuclear Energy & Energy Technology Affairs

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