

GENERAL ELECTRIC

NUCLEAR POWER
SYSTEMS DIVISION

GENERAL ELECTRIC COMPANY, 175 CURTNER AVE., SAN JOSE, CALIFORNIA 95125

NUCLEAR POWER SYSTEMS MARKETING DEPARTMENT
SAN JOSE, CALIFORNIA
BDW81028

XSNM01645

March 24, 1981

Ms. Betty L. Wright
International Programs, MNBB 8213
U.S. Nuclear Regulatory Commission
7735 Old Georgetown Road
Bethesda, MD 20014

SUBJECT: Application Amendment - XSNM 1645

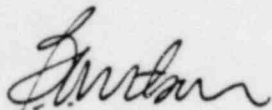
Dear Ms. Wright:

An application for NRC License No. XSNM 1645 was filed by General Electric on January 11, 1980 and is currently pending review in the Executive Branch.

The application names Empresa Nacional Del Uranio S.A. (ENUSA), in Spain, as a requested intermediate consignee. The ENUSA fuel fabrication facility, however, is not yet available.

In the interest of simplifying further processing of this application, therefore, General Electric hereby amends its application for the subject license by withdrawing the request for authorization of ENUSA as an intermediate consignee at this time.

Very truly yours,



B. D. Wilson, Manager
Government Relations and
Export Licensing
MC 873 - (8)425-1380

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RECEIVED
U.S. NRC
EXPORT/IMPORT
AND
INTERNATIONAL SECGRDS

APPENDIX D

DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

XSNM00844

70-2125

Amend No 3

14 MAY 1981

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

Dear Mr. Shea:

This letter is in response to the letters from your office dated September 20, 1979 and May 6, 1980, requesting Executive Branch views as to whether amendments of an export license in accordance with the applications 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. XSNM00844 — Applications by Westinghouse Electric Corporation for amendments to license XSNM00844 to extend the expiration date from June 1, 1980 to December 31, 1981 and to increase the amount of nuclear material authorized for export to Spain by 89 kilograms of U-235 contained in 2,774 kilograms of uranium enriched to 3.2 percent. This low enriched uranium is intended for the manufacture of spare fuel assemblies to replace those which may arrive damaged at the site of the Almaraz Nuclear Power Plant.

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

The Executive Branch has reviewed the applications 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 Spain was submitted for NRC application No. XSNM01477 on September 19, 1979. There has been no material change in circumstances since that submission other than the developments relating to the application of IAEA safeguards to all Spanish activities.

As reported in my letter of May 11, 1981, the Spanish Government has informed the Department of State that all necessary legal steps have been taken to bring the IAEA-Spain Safeguards Agreement into force to cover those facilities not previously under IAEA safeguards. The Spanish Embassy has also provided separate assurances, copy enclosed, with respect to the proposed license amendments, that all nuclear activities in Spain are under IAEA safeguards and in the unlikely event that situation should change, while any shipments under the proposed amendments were pending, the Government of Spain would consult with the U.S. Government 90 days in advance.

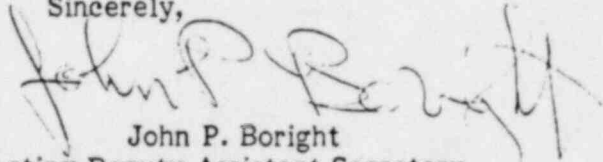
dup of 910612444

* Copy to EDR and ACC 5-20-81

Shea, Davis, Moore, Cohen/Kessler, SLD, WMS

On the basis of the foregoing, the Executive Branch recommends that the license be amended as requested.

Sincerely,



John P. Boright
Acting Deputy Assistant Secretary

Enclosures:
Assurance letters

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EMBASSY OF SPAIN
WASHINGTON

INDUSTRY AND ENERGY OFFICE

1875 CONNECTICUT AVE., NW - #1020
WASHINGTON, D.C. 20009
Tel. (202) 332-9060

Ref. No. 364a

May 11, 1981

Dr. John Boright, Acting
Deputy Assistant Secretary
Bureau of Oceans and International
Environmental and Scientific Affairs
U.S. Department of State
Washington, D. C. 20520

Re: XSNM0844 - Amendments 3, 3a and 4

Dear Dr. Boright:

In addition to the assurances provided regarding the above mentioned amendment requests, I am pleased to note that all nuclear activities in Spain as indicated in the Note Verbale of the Spanish Government of March 8, 1980 are subject to IAEA Safeguards. In the unlikely event that this situation is to change during the time the proposed shipments covered by the subject applications are pending, the Government of Spain will consult with the Government of the United States 90 days in advance.

Sincerely,

German Dominguez, Ph.D.
Industry and Energy Attaché

cpy: Mr. Vance H. Hudgins, DOE

1981 MAY 15 PM 10 00



EMBASSY OF SPAIN
WASHINGTON

INDUSTRY AND ENERGY OFFICE

1875 CONNECTICUT AVE., NW - #1020
WASHINGTON, D.C. 20009
Tel. (202) 332-9060

Ref. No. 578

November 5, 1979

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

Re: XSNM-844, Amendment No. 03a
XSNM-861, Amendment No. 02a
XSNM-865, Amendment No. 02
XSNM-866, Amendment No. 02

Dear Mr. Hudgins:

In response to your letter of October 11 regarding the above mentioned export license amendments, I am pleased to inform you that confirmation has been received from the Spanish Junta de Energía Nuclear about the following particulars:

- a) The transfer of the material, as identified on the license application, will be subject to the terms and conditions of the current Agreement for Cooperation concerning civil uses of atomic energy between the United States and Spain.
- b) The ultimate consignees, as identified on the applications, are authorized by the Spanish Government to receive and possess the material.

Yours sincerely,

German Domínguez, Ph.D.
Industry and Energy Attaché

NOV 15 1979



ILS-070

Westinghouse
Electric Corporation

Water Reactor
Divisions

Nuclear International Division

Box 355
Pittsburgh Pennsylvania 15230

May 14, 1981

Ms. B. L. Wright
Export/Import and International Safeguards
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Ms. Wright:

Subject: Revised Export License Expiration Dates/Spain
Confirming our Telecon May 13, 1981

Please extend as follows:

XSNM-1045	12/31/87
<u>XSNM-844</u>	12/31/84
XSNM-861	12/31/85
XSNM-865	12/31/84
XSNM-866	12/31/84
XB-870	12/31/83
XB-790	12/31/84
X-37-809	12/31/86
XB-869	12/31/85

Sincerely yours,

M. M. Hersch
International Business Development

/cg

RECEIVED
MAY 14 1981
NUCLEAR INTERNATIONAL DIVISION

* Copy to FDR and ABC

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