



DEPARTMENT OF STATE

Washington, D.C. 20520

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BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

11 MAY 1981

EXPORT
CONTROL
SECURITY

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

XSNM01645
Spain
6 Reloads for
Nuclenor

Dear Mr. Shea:

This letter is in response to the letter from your office dated January 22, 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. XSNM01645 — Application by General Electric to authorize export to Spain of 2,520 kilograms of U-235 contained in 95,000 kilograms of uranium enriched to 3.8 percent. This low enriched uranium in the form of fuel assemblies is intended for 6 reloads of the Santa Maria de Garona (Nuclenor) Nuclear Power Plant.

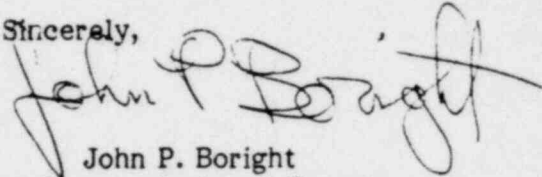
The proposed export would take place pursuant to the Agreement for Cooperation Between the United States and Spain as confirmed in a letter from the Embassy of Spain, a copy of which is enclosed. Spain has adhered to the provisions of its Agreement for Cooperation with the United States.

The Executive Branch has reviewed the 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 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 safeguards to all Spanish facilities. A copy of an assurance letter from the Embassy of Spain confirming that all nuclear activities in Spain are subject to IAEA safeguards is enclosed.

- 2 -

On the basis of the foregoing, the Executive Branch recommends that the license be issued. Early action on this request is requested as General Electric hopes to be able to ship the first reload under this application together with the material covered by the application to amend license XSNM00271 now under review by the NRC.

Sincerely,

A handwritten signature in cursive script, appearing to read "John P. Boright". The signature is written in dark ink and is positioned above the typed name.

John P. Boright
Acting Deputy Assistant Secretary

Enclosures:
Assurance letters



EMBASSY OF SPAIN
WASHINGTON

INDUSTRY AND ENERGY OFFICE

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

Ref. No. 331 a

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: XSNM00271 - Amendment 06
XSNM01645

Dear Dr. Boright:

In addition to the assurances provides regarding the above mentioned export license applications, 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,

Germán Domínguez, Ph.D.
Industry and Energy Attaché

w. copy:Mr. Vance H. Hudgins, DOE



EMBASSY OF SPAIN
WASHINGTON

INDUSTRY AND ENERGY OFFICE

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

Ref. No. 252

April 3, 1980

Mr. Vance H. Hudgins
Director, Division of Politico-
Military Security Affairs
U. S. Department of Energy (5F-066)
Washington, D. C. 20585

Re: XSNM-1644 and XSNM-1645 ✓

Dear Mr. Hudgins:

In response to your letter of February 14, regarding the above mentioned export license applications, 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 applications, will be subject to all the terms and conditions of the current Agreement for Cooperation concerning Civil Uses of Atomic Energy between the United States and Spain.
- b. The intermediate and ultimate consignees, as identified on the applications, are authorized by the Spanish Government to receive and possess the material.

Sincerely,

German Domínguez, Ph.D.
Industry and Energy Attaché

APPENDIX E