



United States Department of State

Washington, D.C. 20520

BUREAU OF POLITICAL-MILITARY AFFAIRS

January 21, 1994

Mr. Carlton R. Stoiber  
Director, International Programs  
United States Nuclear Regulatory Commission  
Rockville, Maryland

PDR  
DCS / DF02 ✓  
J. Becker, OGC  
G. Sanslow, OROO  
B. Stout, MM

XCOM1079/01  
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Dear Mr. Stoiber:

I refer to the letter from your office dated December 30, 1993, requesting the views of the Executive Branch as to whether amendment 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. XCOM1079 Amendment 01** -- Teledyne Wah Chang Albany has requested an amendment to license XCOM1079 which currently authorizes the export to Argentina of 30 tonnes of zircaloy tubing for use as nuclear fuel cladding for the Atucha I and Embalse nuclear power reactors. The requested amendment would authorize the export to Argentina of an additional 15 tonnes of zircaloy tubing for Atucha I and Embalse between January and March 1994.

It is the judgment of the Executive Branch that the proposed export will not be inimical to the common defense and security of the United States and is consistent with the provisions of the Atomic Energy Act of 1954, as amended.

The Government of Argentina provided assurances to the Government of the United States, reported in telegram no. 7962, dated August 19, 1993, from U.S. Embassy, Buenos Aires, confirming that the exported items will: 1) be used solely for peaceful nuclear activities; 2) not be used for any nuclear explosive ends, or in any way that promotes any military ends; 3) not be used in any nuclear installation that is not under safeguards; and 4) not be exported from Argentina without the previous consent of the Government of the United States. A copy of that telegram was submitted to your office on September 30, 1993 with the Executive Branch views on application XCOM1079. It is the view of the Executive Branch that these Argentine Government assurances meet the criteria of Section 109b of the Atomic Energy Act, as amended, for exports of nuclear components, substances and items.

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

Sincerely,

Richard J. K. Stratford  
Director  
Nuclear Energy Affairs

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PDR EXPORT  
XCOM-1079 PDR

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