



United States Department of State

Washington, D.C. 20520

DCS/DF02

March 21, 1994

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

Dear Mr. Stoiber:

I refer to the letter from your office dated December 21, 1993, requesting the views of the Executive Branch 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. XSNM02785 -- Application by Westinghouse Electric Corporation for authorization to export to the Czech Republic 7,695 kilograms of U-235 in 342,000 kilograms of uranium enriched to a maximum of 4.5 percent in the form of uranium dioxide pellets incorporated into fuel assemblies for the initial core and four reload regions each for Temelin Nuclear Power Station Units 1 and 2.

The proposed export to the Czech Republic would take place pursuant to the Agreement Between the Government of the United States of America and the Government of the Czech and Slovak Federal Republic on Cooperation in Peaceful Uses of Nuclear Energy which entered into force on February 13, 1992, as confirmed in a certificate from the Czech State Office for Nuclear Safety, a copy of which is enclosed. The Czech Republic 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 the Czech Republic was submitted to your office on August 6, 1993 with the Executive Branch views on application XSNM02749. There has been no material change in circumstances regarding the Czech Republic since submission of that analysis.

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

Sincerely,

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PDR XPORT
XSNM-2785 PDR

Richard J. K. Stratford
Richard J. K. Stratford
Director
Nuclear Energy Affairs

300070

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Enclosure:
Assurance certificate

*Faxed Copy of EB views received
on 3/21/94. B. L. Wright*

*Embassy of the Czech Republic
3900 Spring of Freedom N. N. W.
Washington, D. C. 20008*

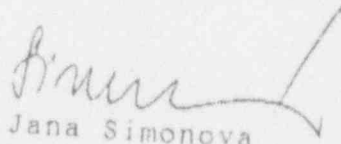
Mr. Trisha Dedik
Director
Export Control Operations Division
Office of Export Control and
International Safeguards
Department of Energy
Washington, D.C. 20585

March 14, 1994

Dear Mr. Dedik:

Enclosed you will find a copy of a confirmation provided by the State Office for Nuclear Safety. The confirmation contains both required statements you need for the processing of the license application. The original is to come in the nearest days.

Sincerely,



Jana Simonova
Science and Technology Head

EX. INTL. SAFEGUARDS

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Phone: (202) 363-5715
Fax: (202) 966-8530

REC'D

STATE OFFICE FOR NUCLEAR SAFETY
Slezská 9, Prague 2
CHAIRMAN
Ing. Ján Štúr

Prague, March 3, 1994
Ref. No. 232/2.3/94/Ce/S

Confirmation

The State Office for Nuclear Safety
confirms that:

- a. the transfer of the nuclear material, as identified on the license application of Westinghouse Electric Corporation, applicant's reference WSH-93-263, dated December 1, 1993 (NRC License No. XSNM02705; Docket No. 11004699) will be subject of all the terms and conditions of the Agreement about Cooperation in Peaceful Use of Nuclear Energy between the Government of the United States of America and the Government of the Czech and Slovak Federal Republic, which entered into force on February 13, 1992 and its succession for the Czech Republic has been confirmed by the Law No. 4/1993 of the Parliament of the Czech Republic;
- b. the ultimate consignee JADERNÁ ENERGETICKÁ TRŮBA, s.r.o. Jaderná Elektrárna Temelín, is authorized by the State Office for Nuclear Safety to receive and possess the above-mentioned nuclear material for Temelin Unit 1 and Unit 2.

[Handwritten Signature]
Signature

INT'L SAFETY
EXPORT
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