



United States Department of State

Bureau of Oceans and International
Environmental and Scientific Affairs

DCS / DFO2
Becker, OGC
G. Sanslow, OROO
B. Stout, MM
T. Kurt, DOE

Washington, D.C. 20520

February 11, 1991

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

XSNM02571
11004371

Dear Mr. Shea:

I refer to the letter from your office dated November 1, 1990, 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. XSNM02571 -- Application by Mitsui & Co. (U.S.A.), Inc. for authorization to export to Japan 914.0 kilograms of U-235 in 30,975.0 kilograms of uranium, ranging from natural uranium to uranium enriched to a maximum of 3.95 percent, in the form of uranium hexafluoride, for the initial core load of Unit No. 4 of the Hamaoka Nuclear Power Station.

The proposed export to Japan would take place pursuant to the Agreement for Cooperation Between the United States and Japan as confirmed by a telegram from U.S. Embassy, Tokyo, reporting receipt of a Note Verbale from the Japanese Foreign Ministry. A copy of the telegram is enclosed. Japan 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 Japan was submitted November 2, 1988. There has been no material change in circumstances since that submission.

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

Enclosure:
Telegram.

EXPORT REPORT
SAFE GUARDS

91 FEB 12 AM 1:40

RECEIVED
U.S. N. R. C.

Department of State

PAGE 01 TOKYO 02220 080903Z
ACTION DOEE-00

SHB1567

INFO	LOG-00	ACDA-13	ADS-00	CEQ-01	CIAE-00	DODE-00	EAP-00
	EB-00	H-01	INRE-00	INR-05	IO-19	L-03	NRC-02
	NSAE-00	NSCE-00	<u>OES-00</u>	OIC-02	PM-00	SNP-00	SP-00
	SS-00	T-01	EPAE-00	/062W			

-----3FAC53 080906Z /25

R 081900Z FEB 91
FM AMEMBASSY TOKYO
TO SECSTATE WASHDC 3611

UNCLAS TOKYO 02220

E.O. 12356: N/A
TAGS: ENRG, KNNP, TRGY, KSCA, JA
SUBJECT: (REPORT) NUCLEAR; REQUEST FOR GOJ
ASSURANCES FOR NUCLEAR FUEL EXPORTS UNDER U.S. - JAPAN
AGREEMENT

REF: A) 90 STATE 211359; B) 90 STATE 361352;
C) 90 STATE 362510; D) 90 STATE 375400; E) 90 STATE
416867; F) 88 TOKYO 020508

1. EMBASSY HAS EXCHANGED WITH GOJ FOUR ADDITIONAL
DIPLOMATIC NOTES - WITH ATTACHMENTS - FOR THE
FOLLOWING CASES:

NO. 103 (XSNM02547) DETAILS IN REFTEL A,
NO. 117 (XSNM02568) DETAILS IN REFTEL B,
NO. 118 (XSNM02569) DETAILS IN REFTEL C,
NO. 119 (XSNM02571) DETAILS IN REFTELS D AND E.

THE U.S. NOTES AND ATTACHMENTS FOR NOS. 103, 117 AND
118 WERE GIVEN TO MOFA IN FINAL FORM ON JANUARY 22,
1991. A CORRESPONDING GOJ NOTE, 14/SCNE, COVERING
THESE THREE NOTES, DATED JANUARY 30, 1991, HAS NOW
BEEN RECEIVED IN THE EMBASSY'S SCIENCE OFFICE.

THE U.S. NOTE AND ATTACHMENT FOR NO. 119 WAS GIVEN TO
MOFA IN FINAL FORM ON JANUARY 28, 1991. A
CORRESPONDING GOJ NOTE, 17/SCNE, COVERING THIS NOTE,
DATED FEBRUARY 4, 1991, HAS NOW BEEN RECEIVED IN THE
EMBASSY'S SCIENCE OFFICE.

2. THE TEXT OF THE TWO GOJ NOTES ARE EXACTLY THE SAME
AS THE STANDARD TEXT USED PREVIOUSLY, REFTEL F, EXCEPT
FOR THE FOLLOWING SPECIFICATION OF NUMBER AND DATE.

U.S. DIP NOTE NO. 11 DATED JANUARY 22, 1991
GOJ NOTE NO. 14/SCNE DATED JANUARY 30, 1991

U.S. DIP NOTE NO. 12 DATED JANUARY 22, 1991
GOJ NOTE NO. 14/SCNE DATED JANUARY 30, 1991

U.S. DIP NOTE NO. 13 DATED JANUARY 22, 1991
GOJ NOTE NO. 14/SCNE DATED JANUARY 30, 1991

U.S. DIP NOTE NO. 45 DATED JANUARY 28, 1991
GOJ NOTE NO. 17/SCNE DATED FEBRUARY 4, 1991

3. CERTIFIED COPIES OF THE FOUR U.S. NOTES AND

ATTACHMENTS AND THE ORIGINALS OF THE TWO GOJ NOTES ARE
BEING POUCHED TO DEPT. (OES/NEC C. THORNE) UNDER
REGISTRY NUMBER 8007950. ARMACOST

UNCLASSIFIED

a fixed
2/8/91
NRC
2/8/91