

United States Department of State

Washington, D.C. 20520

June 2, 1994

PDR  
DCS / DF02  
~~J. Becker, OGO~~  
G. Sanslow, OROO  
B. Stout, MM  
T. Rothschild, OC

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 May 2, 1994, 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. XMAT0326/05** -- Application by Poco Graphite Inc. for an extension of license XMAT0326 which currently authorizes export to Canada, European Community countries, Japan, New Zealand, Singapore, Sweden, Switzerland and Taiwan, of up to a total of 750 tons of nuclear grade graphite for fabrication of non-nuclear industrial and commercial items, limited to 30 tons per annum to any one country and 3,000 kilograms per shipment. Most of these countries/destinations, except Singapore, have provided one-time generic assurances to confirm right of U.S. consent to retransfers of U.S. exports of nuclear components, substances and items, including nuclear grade graphite. Singapore has provided retransfer assurances by issuance of Import and Delivery Verification Certificates (IDVC) valid for 24 months. Accordingly, the validity of the NRC license has been limited to correspond to the length of validity of the IDVC.

It is the judgment of the Executive Branch that the proposed amendment to extend the validity of the existing license 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, provided the validity of the license for exports to Singapore is limited to correspond to the period of validity of the most recent IDVC issued by the Government of Singapore; i.e. until April 21, 1996.

As a party to the NPT, Singapore has committed itself to maintain IAEA safeguards on all of its peaceful nuclear activities and has pledged not to manufacture or otherwise acquire any nuclear explosive device. It is therefore the judgment of the Executive Branch that criteria (1) and (2) for exports of nuclear components, substances and items under Section 109b of the Atomic Energy Act, as amended, are met. The remaining criterion, agreement not to retransfer any U.S.-supplied component or material without prior U.S. consent, has been satisfied by the generic assurances from all the listed countries/destinations (from EURATOM for the EC member states) with the exception of Singapore which has provided retransfer assurances by issuance of Import and Delivery Verification Certificates (IDVC) valid for 24 months. The Singapore Government IDVC's have confirmed that there will be no retransfer of the U.S. - supplied graphite to any other country without prior U.S. Government consent except to the ASEAN countries, Brunei, Indonesia, Malaysia, Philippines and Thailand, which are parties to the NPT.

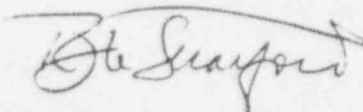
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It is the view of the Executive Branch that reexports to ASEAN countries by Singapore pursuant to this license should be limited to manufactured non-nuclear articles or general license quantities of bulk graphite.

On the basis of the foregoing, the Executive Branch recommends that the license be extended as requested, subject to the conditions set forth above.

Sincerely,



Richard J. K. Stratford  
Director  
Nuclear Energy Affairs

INT'L SAFEGUARDS

EXPORT CONTROL

94 JUN -7 PM 2:26

RECEIVED  
U.S. DEPT. OF ENERGY

1 Applicant (Firm's Name, Address and Tel. No.)  
 2 CR No. 13047830000H

Inmac Singapore Pte Ltd  
 138 Genting Lane  
 Singapore 1334  
 Tel: 7473508

3 Exporter (Firm's Name and Address)  
 Messrs Poco Graphite, Inc.  
 1601 South State Street  
 Decatur, Texas 76234  
 U.S.A.

4 End-User (Firm's Name and Address)  
 Inmac Singapore Pte Ltd  
 138 Genting Lane  
 Singapore 1334

5 Remarks (Please tick (v) where applicable.)  
 a. For use in Singapore  
 b. For re-export to ASEAN Countries (country)

REPUBLIC OF SINGAPORE

THE CONTROL OF IMPORTS AND EXPORTS ACT  
 (CHAPTER 56)

THE CONTROL OF IMPORTS AND EXPORTS  
 (IMPORT CERTIFICATE AND DELIVERY  
 VERIFICATION PROCEDURE) ORDER 1989

APPLICATION FOR AN IMPORT CERTIFICATE

(See overleaf Notes)


In support of my/our application for an Import Certificate, I/we hereby undertake —

(a) to import into the Republic of Singapore the goods described and in the quantity specified below; and

(b) not to export those goods or cause or permit them to be exported from Singapore after they have been imported into the Republic, or if they are not imported into the Republic, not to dispose of nor cause or permit them to be disposed of in any other country or territory without the written approval of the Controller of Imports and Exports.

6  I/we need a Delivery Verification Certificate.  
 I/we do not need a Delivery Verification Certificate.

7 I/we declare that the particulars in this application are true and correct.

Signature:   
 Name: Ted Teo  
 Designation: Managing Director  
 Date: 21 April, 1994

Please tick (v) where applicable.

8 Ser. No.	9 Description of Goods	10 Commodity Code (HS)	11 Quantity	12 Value S\$
1.	Artificial Graphite Blocks	380110008	16,650 kg (750 pcs.)	2,734,410 (US\$ 1,347,000)
2.	Artificial Graphite Cylinders	380110008	1,050 kg (15,000 pcs.)	395,850 (US\$ 195,000)

13 \*IMPORT CERTIFICATE NO. ICDV/337/94

This Import Certificate is issued on the undertaking given in the application for the Import Certificate and to the conditions specified overleaf.

This Certificate is valid for 2 yrs from the date of issue below.

Dated this 21 day of APR 1994



\*This number must be typed on your Inward Declaration for goods imported.

15 DELIVERY VERIFICATION CERTIFICATE

I hereby certify that the goods described in the application for Import Certificate No. \_\_\_\_\_ arrived in Singapore on the following dates, in the following quantities and by the vessel(s)/flight No.(s) stated below, respectively.

Name of Vessel/Flight No.	Arrival Date	Quantity
_____	_____	_____
_____	_____	_____

Controller of Imports and Exports,  
 Trade Development Board,  
 Singapore.

To comply with the procedure for issue of an Import Certificate

and Delivery Verification by the Trade Development Board.