



BDR
United States Department of State

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

July 7, 1986

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

XU08625
Switzerland

Dear Mr. Shea:

I refer to the letter from your office dated June 18, 1986, requesting Executive Branch views regarding the issuance of an export license in accordance with the application hereinafter described because of recent concerns regarding shipments of depleted uranium.

NRC No. XU08625--Application by International Customs Services to authorize the export to Switzerland of 99,789 kilograms of depleted uranium in the form of solid metal plates. The depleted uranium will be utilized by the CERN Laboratory in a detector for high energy physics research.

This letter is to confirm that the Executive Branch has no objection to issuance by the NRC of the requested license to permit the export of depleted uranium to Switzerland for CERN, provided that the license is conditioned to preclude re-export of the material without prior U.S. Government consent.

The Executive Branch intends to report the export of the depleted uranium under XU08625 to the IAEA as subject to IAEA safeguards. Although not strictly required by IAEA Doc. INFCIRC/207, this notification is consistent with what the Executive Branch considers to be the better view of INFCIRC/209, INFCIRC/254 and Article III (2) of the Treaty on the Non-Proliferation of Nuclear Weapons (NPT).

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The Executive Branch anticipates that the exemption of the DU from safeguards for the purpose of non-nuclear use will be carried out by the Swiss Government in consultation with the IAEA, pursuant to paragraphs 36b and 13 of INFCIRC/234, the NPT-based safeguards agreement between Switzerland and the IAEA.

Sincerely,

A handwritten signature in dark ink, appearing to read "James B. Devine", is written over the typed name.

James B. Devine
Deputy Assistant Secretary
Nuclear Energy & Energy Technology Programs