



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

February 8, 2018

Mr. Robin DeLaBarre  
Office of Nuclear Energy, Safety  
& Security, Room 33200 HST  
Bureau of International Security  
& Nonproliferation  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520

Dear Mr. DeLaBarre:

Enclosed is an application (XSNM3789), dated December 21, 2017, received by the U.S. Nuclear Regulatory Commission (NRC) from Louisiana Energy Services, LLC. The application requests authorization to export up to 8,262,325 kilograms of low enriched uranium (LEU) to South Korea for conversion and fabrication into fuel by Korea Electric Power Company (KEPCO) Nuclear Fuel Company. The fuel will be used in all operating pressurized water reactors (PWRs) located in South Korea until November 2040.

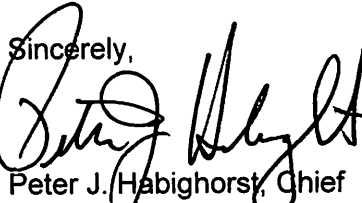
Please note that in the enclosed letter dated July 12, 1983, the Commission adopted a policy of approving exports of LEU to countries that meet U.S. requirements sufficient for either: 1) an initial core and up to three reactor reloads; or 2) up to three reactor reloads. This request represents a departure from that policy because the applicant has requested a license to cover life-of-reactor fuel supplies for the 29 power reactors identified in the application.

Before taking action on this request, we would appreciate your views in accordance with established procedures and from the overall perspective of the Executive Branch, as to whether the requested export meets the applicable criteria in the Atomic Energy Act of 1954, as amended. We are especially interested in any factors that the Executive Branch considers unique to this request and whether particular conditions are warranted to approve this type of export. In addition, to the extent we could receive similar requests in the future, we would also appreciate receiving your guidance as to the level of EB review that will be required for proposed exports to supply life-of-reactor fuel. We will need to submit your response and the

R. DeLaBarre

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NRC staff views on this proposed export and potential change in long-standing policy to the Commission for review and approval.

Sincerely,  


Peter J. Habighorst, Chief  
Export Controls and Nonproliferation Branch  
Office of International Programs

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Mr. James B. Devine  
Deputy Assistant Secretary for Nuclear  
Energy and Energy Technology Affairs  
Bureau of Oceans and International  
Environmental and Scientific Affairs  
U.S. Department of State  
Washington, D.C. 20520

Dear Mr. Devine:

This is in response to your informal request for the Commission's views on "life-of-reactor" fuel export licenses.

It is the Commission's preliminary view that NRC's existing multiple reload fuel export licensing provisions have proven adequate in assuring those countries sharing U.S. nonproliferation objectives of the reliability of U.S. fuel supply commitments. Accordingly, the Commission does not at this time favor the adoption of a life-of-reactor licensing policy, particularly in view of the difficulty such a policy would create in being able to adjust to changes in circumstances which may occur over the course of such long-term licenses.

The Commission is prepared to examine this matter in greater detail should the Executive Branch believe that life-of-reactor fuel licenses would significantly advance U.S. nonproliferation or foreign policy objectives.

Sincerely,

Original signed by  
James R. Shea

James R. Shea, Director  
Office of International Programs