



United States Department of State

Washington, D.C. 20520

February 3, 1997

BCS
XMAT0394
Switzerland

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 January 23, 1997, 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. XMAT0394-- UCAR Carbon Company has applied for authorization to export to Switzerland 300 kilograms of nuclear grade graphite in the form of tiles for use as protective lining for the internal vacuum vessel wall surfaces of the Tokamak a Configuration Variable. This research facility has been operating for four years. The graphite to be exported will permit extending the protective lining from 76% to 90% of the vessel surface in order to reduce plasma contamination resulting from plasma reaction with exposed metal surfaces. To meet specifications for tokamak use, the graphite tiles will have to be manufactured to high standards of purity and finish.

It is the judgment of the Executive Branch that the proposed export 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 by the Nuclear Non-Proliferation Act of 1978.

As a party to the NPT, Switzerland has committed itself to maintain IAEA safeguards on all of its peaceful nuclear activities and has pledged not to produce 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 (including nuclear grade graphite) under Section 109b of the Atomic Energy Act, as amended, are met. The remaining criterion, agreement not to retransfer any U.S.-supplied component, substance or item without prior U.S. consent, has been satisfied by the receipt of generic assurance letters from the Embassy of Switzerland dated October 3, 1978, the subject of our letter to you dated October 24, 1978.

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

Sincerely,

Richard J. K. Stratford

Director

Office of Nuclear Energy Affairs

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