



DEPARTMENT OF STATE

Washington, D.C. 20520

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XTO 8426

RECEIVED
U.S. NRC

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

December 12, 1978

EXPORT/IMPORT
AND
INTERNATIONAL SFGRDS

Mr. James R. Shea
Director of International Programs
United States Nuclear Regulatory Commission
Room 6714 - MNBB
Bethesda, Maryland

Dear Mr. Shea:

This letter is in response to your letter dated August 8, 1978, requesting Executive Branch views as to whether issuance of an export license in accordance with the application hereinafter described would be inimical to the common defense and security of the United States and whether the proposed export meets the applicable criteria in the Atomic Energy Act, as amended, and the Nuclear Non-Proliferation Act of 1978:

NRC No. XT008426 -- application by Rockwell International Corporation for authorization to export to Japan a total of 100 kilograms of thorium metal plates for use in research and development activities with the Kyoto University critical assembly machine.

The proposed export would take place pursuant to the Agreement for Cooperation Between the United States and Japan as confirmed in a letter from the Embassy of Japan dated October 9, 1978. Japan has adhered to the provisions of its Agreement for Cooperation with the United States.

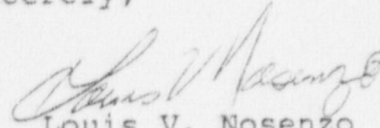
The Executive Branch has reviewed the application and concluded that the requirements of the Atomic Energy Act and P.L. 95-242 have been met and that the proposed export will not be inimical to the common defense and security of the United States. A detailed analysis is believed unnecessary because of the relatively small quantity of material involved.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Louis V. Nosenzo".

Louis V. Nosenzo
Deputy Assistant Secretary

Enclosure:
Assurance letter

EMBASSY OF JAPAN

2520 MASSACHUSETTS AVENUE, N.W.

WASHINGTON, D.C. 20008

(202) 234-2266

October 9, 1978

Colonel Vance H. Hudgins
Assistant Director for
Politico-Military Security Affairs
Division of International Security Affairs
Department of Energy
Washington, D.C. 20545

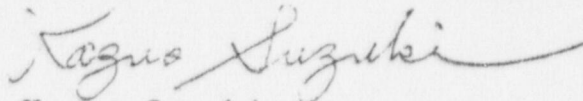
Dear Colonel Hudgins:

Concerning import of the source material for the facility noted below, this will confirm that the Government of Japan has appointed Kyoto University as an authorized person under the terms and conditions pursuant to Article VI of the Agreement for Cooperation between the Government of the United States of America and Government of Japan concerning Civil Uses of Atomic Energy which entered into force on July 10, 1968, amended by the Protocol on December 21, 1973.

100 kg of thorium metal used in the Kyoto University
critical assembly

Further, it is confirmed that the transfer of the source material identified above will take place under all the terms and conditions of the Agreement for Cooperation between our Governments, and that the appointee(s) named above have been authorized to receive and possess the material by both Governments.

Sincerely yours,



Kazuo Suzuki
First Secretary (Scientific)

Ref: This is in reference to the case number of XT-8426 stated in your letter dated September 5, 1978.