

August 6, 2008

MEMORANDUM TO: The File

FROM: Stephen Dembek, Branch Chief */RA/*  
Export Controls and International Organizations  
Office of International Programs

SUBJECT: ISSUANCE OF LICENSE WITHOUT WAITING FOR  
EXPIRATION OF 30 DAYS PUBLIC NOTICE FOR EXPORT  
LICENSE XCOM1200 FOR THE EXPORT OF SEAL  
ASSEMBLIES TO ARGENTINA

On July 30, 2008, NRC received an application from Eaton Corporation for the export of seal assemblies to Canada for incorporation into fueling machine ram assemblies and subsequent export to Argentina for final assembly into the Embalse CANDU reactor. By e-mail dated July 31, 2008, the licensee requested a waiver of the 30-day waiting requirement of the pending application in the public document room (ADAMS).

The NRC staff has completed its review and based on information provided by the Executive Branch stating that exports of nuclear components to Canada for incorporation into components for the Embalse Reactor in Argentina do not need new government-to-government Assurances, the NRC staff has concluded that the proposed export is not inimical to the common defense and security.

Under NRC regulations found at 10 CFR section 110.82 members of the public are afforded 30 days to file an intervention petition or hearing request from the date that an application has been received by the NRC's Public Document Room (ADAMS). Although the 30 days has not expired, because of the non-controversial nature of the export (i.e., previously, identical equipment has been exported for the same facilities without an intervention petition being filed), and the need for the licensee to meet contractual shipping date, I am issuing the license at this time.

The waiver of these 30 days is issued pursuant to 10 CFR section 110.10. I have concluded that this exemption is authorized by law, is not inimical to the common defense and security, and does not constitute an unreasonable risk to the public health and safety.

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DOCUMENT NAME: S:\EXPORTS\Exports - Waivers\XCOM1200Waiver.doc

**ADAMS ACCESSION NO.: ML082200271**

| <input checked="" type="checkbox"/> Publicly Available | <input type="checkbox"/> Non-Publicly Available | <input type="checkbox"/> Sensitive | <input checked="" type="checkbox"/> Non-Sensitive |
|--|---|------------------------------------|---|
| OFFICE   | OIP   | BC:OIP                             |   |
| NAME   | S Baker   | S Dembek                           |   |
| DATE   | 8/5/08  | 8/6/08                             |   |

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