

August 28, 2009

MEMORANDUM TO: The File

FROM: Janice E. Owens, Branch Chief */RA/*
Export Controls and International Organizations
Office of International Programs

SUBJECT: ISSUANCE OF LICENSE AMENDMENT WITHOUT WAITING
FOR EXPIRATION OF 30 DAYS PUBLIC NOTICE FOR
COMBINED IMPORT/EXPORT LICENSE PCB14b.03

On August 11, 2009, Source Production & Equipment Co., Inc. (SPEC) submitted an application to the Office of International Programs (OIP) requesting Amendment No. 03 to their current license (CBP14b-2) to extend the expiration date for imports and exports of Category 2 quantities of Co-60, Ir-192, Se-75 and Yb-169 from and to various destinations. SPEC's current license expires August 31, 2009, and they asked to extend it to August 31, 2012. The application was made available to the public in NRC's Public Document Room (i.e., Agencywide Documents Access and Management System [ADAMS]) on August 17, 2009.

Due to SPEC's oversight, the amendment request was not submitted with sufficient time to allow 30 days to lapse once the application was posted in ADAMS. SPEC has requested that NRC expedite its review and issue the license amendment prior to the expiration of their current license so that they can continue imports and exports between September 1-18, 2009, which would have been possible had their amendment request been submitted 30 days before the expiration date (see 10 CFR Section 110.51). The only other changes from their previous license are to revise the contact information and incorporate NRC's new license number format.

OIP's license application review procedure normally allows for 30 days to lapse after the 10 CFR Section 110.70 notice is posted at the NRC Website. The Commission encourages written comments per 10 CFR Section 110.81 from the public regarding export and import license applications, and will consider, if appropriate, to respond to these comments. As specified in 10 CFR Section 110.82, NRC will consider an intervention petition or hearing request as timely only if it is filed less than 30 days from the date an application is made available to the public.

OIP has concluded that issuing the amendment to this combined export import license (PCB14b.03) 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. OIP has informed SPEC that in the event someone in the public submits substantive comments or requests a hearing regarding the amendment to this license, SPEC may have to cease all activity against this license amendment until the issue has been reviewed and appropriately addressed.

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DOCUMENT NAME: S:\APPENDIX P\Appendix P – Notes to file\SPEC\PCB14b.03.doc

ADAMS Accession No.: ML092400326

TEMPLATE NO.: OIP-004

* See previous concurrence

Publicly Available Non-Publicly Available Sensitive Non-Sensitive

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DATE	8-28-09	8-28-09	8/28/09

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