

EXPORT LICENSE

FORM NRC-250
(7-75)

NRC LICENSE NO.

THIS LICENSE EXPIRES 1 September 1977

SME-8326

United States of America
Nuclear Regulatory Commission

Pursuant to the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974 and the regulations of the Nuclear Regulatory Commission issued pursuant thereto, and in reliance on statements and representations heretofore made by

the licensee, a license is hereby issued to the licensee authorizing the export of the materials and/or production or utilization facilities listed below, subject to the terms and conditions herein.

LICENSEE
NAME **J. T. Baker Chemical Company**
ADDRESS **222 Red School Lane
Phillipsburg, New Jersey 08865**

ULTIMATE CONSIGNEE IN FOREIGN COUNTRY
NAME **J. T. Baker S.A. DE C.V.**
ADDRESS **Chiapas No. 13
Mexico 7, D.F., Mexico**

INTERMEDIATE CONSIGNEE IN FOREIGN COUNTRY
NAME
ADDRESS
NONE

OTHER PARTIES TO EXPORT
NONE

APPLICANT'S REF. NO. **92-201-4337**

COUNTRY OF ULTIMATE DESTINATION **Mexico**

QUANTITY	DESCRIPTION OF MATERIALS OR FACILITIES
5.044 pounds of thorium	Contained in 12 pounds of thorium nitrate
and 20.207 pounds of uranium	Contained in 36 pounds of normal uranyl acetate

Conditions 6 and 9 on page 2 of this license apply to this export.

////////////////////////////////////// END //

DR
IPEI *letter from state Dept 8-5-76 D.A.C.*
DISTRIBUTION:
Licensee
PDR
License Folder ←
MS, OIPI, ERDA

IPEI The proposed export would not be inimical to the interests of the United States.
PMSA, ISA, ERDA
IE
NMSS, SGIA
State Radiation Control Agency
License File

Neither this license nor any right under this license shall be assigned or otherwise transferred in violation of the provisions of the Atomic Energy Act of 1954, as amended and the Energy Reorganization Act of 1974.

This license is subject to the right of recapture or control by Section 108 of the Atomic Energy Act of 1954, as amended and to all of the other provisions of said Acts, now or hereafter in effect and to all valid rules and regulations of the Nuclear Regulatory Commission.

THIS LICENSE IS INVALID UNLESS SIGNED BELOW BY AUTHORIZED NRC REPRESENTATIVE:
Michael A. Gubin
Michael A. Gubin, Assistant Director
Export/Import and International Safeguards
Office of International Programs
DATE OF ISSUANCE **AUG 11 1976**

EXPORT LICENSE

U.S. NUCLEAR REGULATORY COMMISSION
EXPORT LICENSE

Conditions

License Number SME-8326

Condition 1 — Licensee shall file with the Customs Officer or the Postmaster two copies, in addition to those otherwise required, of the Shipper's Export Declaration covering each export and mark one of such copies for transmittal to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555. The following declaration should accompany or be placed on the Shipper's Export Declarations for such exports:

"This shipment is being made pursuant to specific license number (**specific license number**) filed at (**location of Customs office where license is filed**), on (**date license was filed**). This license expires on (**expiration date of license**), and the unshipped balance remaining on this license is sufficient to cover the shipment described on this declaration."

Condition 2 — Exports authorized in any country or destination, except Country Groups Q, S, W, X, Y, and Z in Part 370, Supplement No. 1, of the Comprehensive Export Schedule of the U.S. Department of Commerce.

Condition 3 — This license covers only the nuclear content of the material.

Condition 4 — The material to be exported under this license shall be shipped in accordance with the physical protection requirements for special nuclear material in 10 CFR 73.

Condition 5 — Special nuclear material authorized for export under this license shall not be transported outside the United States in passenger-carrying aircraft in shipments exceeding (1) 20 grams or 20 curies, whichever is less, of plutonium or uranium 233, or (2) 350 grams of uranium 235.

Condition 6 — This license authorizes export only and does not authorize the receipt, physical possession, or use of the nuclear material.

Condition 7 — The licensee shall complete and submit an NRC Form 741 for each shipment of source material exported under this license.

Condition 8 — The licensee shall advise the NRC in the event there is any change in the designation of the company who will package the nuclear material to be exported under this license, or any change in the location of the packaging operation, at least three weeks prior to the scheduled date of export.

Condition 9 — Pursuant to 10 CFR 40.14(a), the material to be exported is exempt from the requirements in 10 CFR 40.33(a) that the proposed export be within the scope of an agreement for cooperation. The Commission has determined that this exemption is authorized by law and will not endanger the common defense and security and is otherwise in the public interest.



DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

copy sent
to
PPR

5 AUG 1976

Mr. Michael Guhin
Assistant Director for International
Programs for Export and Import
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Guhin:

This letter is in response to your request of April 7, 1976 for Executive Branch views on whether issuance of an export license in accordance with the application hereinafter described would be inimical to the interests of the United States:

NRC No. S-312 - J. T. Baker Chemical Company's application dated March 18, 1976 for export to Mexico of 5.044 pounds of thorium contained in thorium nitrate and 20.207 pounds of uranium contained in uranylacetate to be used as laboratory reagents for quality control, educational and testing purposes.

According to 10 CFR 40.33b, an application for "a license to export thorium will be approved if the Commission determined that the export will not be inimical to the interests of the United States," and thus we do not propose to bring this export under an agreement for cooperation.

According to the authority granted by 10 CFR 40.14 the Executive Branch recommends that the uranium be exempted from the requirement that it be exported pursuant to an agreement for cooperation.

RCVD IP:EI 8/6/76 5:00 pm

The eight factors listed in the NRC Congressional Briefings on Export Licensing have been reviewed for applicability to this export and it is the view of the Executive Branch, on the basis of this review, that the issuance of the license would not be inimical to the interests of the United States, including the common defense and security. A detailed analysis of each factor is believed unnecessary in this case in view of the non-nuclear end use and small quantity of material involved.

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

Sincerely,

for Dean A. Coyle

Dixon B. Hoyle
Director, Office of Program
Implementation

APR 7 1976

Mr. Dixon Hoyle, Director
Office of Program Implementation
Bureau of Oceans and International
Environmental and Scientific Affairs
Department of State
Washington, D.C. 20520

Dear Mr. Hoyle:

The Nuclear Regulatory Commission has recently received an application (copy enclosed) from J.T. Baker Chemical Company to export source material to Mexico. The application dated March 18, 1976 requests a license authorizing the export of 5.044 pounds of thorium as thorium nitrate and 20.207 pounds of uranium as uranylacetate for resale and consumption in that country.

The Commission is required by the Atomic Energy Act of 1954, as amended, to determine, before issuing such a license, whether the proposed export would be inimical to the interests of the United States and whether the export would be under the terms of an Agreement for Cooperation arranged pursuant to Section 123 of that Act or exempted from the Agreement for Cooperation.

Before taking action on this license application, we would appreciate receiving your views in accordance with agreed procedures and from the overall perspective of the Executive Branch, as to whether the issuance

OFFICE ▶						
SURNAME ▶						
DATE ▶						

of the license would be inimical to the interests of the United States whether the export would fall within an Agreement for Cooperation between the United States and Mexico or exempted from the Agreement for Cooperation.

Your assistance in this matter is appreciated.

Sincerely,

G. Wayne Kerr, Chief
Agreements and Exports Branch
Division of Fuel Cycle and
Material Safety

Enclosure:

Appl. dtd March 18, 1976

cc w/enclosure:

- Mr. N. Sievering, ERDA
- Mr. T. Davies, ACDA
- Mr. Roger E. Shields, DOD
- Mr. Alfred D. Starbird, ERDA
- Mr. Travise Reed, DOC

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#818457	RPressly:	GWKerr				
4/2/76 SURNAME	4/7/76	4/7/76				
DATE						



J. T. Baker Chemical Co.

March 30, 1976

U. S. Nuclear Regulation Commission
Agreements & Exports Branch
Div. of Fuel, Cycle, & Mtl. Safety
Washington, DC 20555

Export Department
Cable Address
BACHEMCO, Phillipsburg, N. J.
TWX 510-235-2924
TELEX 847480

Reference: Lic SUE-8325
Our 92-201-4246

Lic SME-8326
Our 92-201-4337

Gentlemen:

Attached are copies of applications made by us on
09 March and 18 March, 1976.

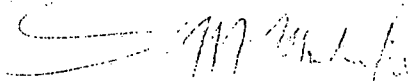
We request an exemption from the requirement of
10CFR40.33 which states that the material be part
of an agreement of cooperation between the United
States and the country exported to. We request
this exemption under the provisions outlined in
10CFR40.14.

We certify that the material is for non-nuclear use
and will be resold by J. T. Baker S. A. de C. V. to
end users who will use the material in laboratories
for quality control, educational, and testing pro-
cedures.

On the application of 18 March, 1976, we have in-
correctly stated 5.044 LBS contained Uranium in
12 LBS of Thorium Nitrate. This should correctly
read 5.044LBS contained Thorium in 12LBS of Thorium
Nitrate. Will you please record this correction
on our application form.

Thank you for your cooperation and assistance.

Very truly yours,


T. M. Makowski
Manager, Export Services

TMM/kas

enc.

Copy sent
to PDR.

APPLICATION FOR LICENSE TO EXPORT
BYPRODUCT, SOURCE, OR SPECIAL NUCLEAR MATERIAL

48-8516

Submit in Triplicate

Carefully Read Instructions on Back

1. DATE OF APPLICATION MARCH 18, 1976	2. APPLICANT'S REFERENCE NO. (if any) 92-201-4337	3. COUNTRY OF ULTIMATE DESTINATION MEXICO
4. NAME OF APPLICANT J. T. BAKER CHEMICAL CO. STREET ADDRESS 222 RED SCHOOL LANE CITY, STATE, AND ZIP CODE PHILLIPSBURG, NJ 08865		5. ULTIMATE CONSIGNEE IN FOREIGN COUNTRY (Name and address) J. T. BAKER S.A. DE C.V. CHIAPAS NO. 13 MEXICO 7, D.F., MEXICO
6. INTERMEDIATE CONSIGNEE IN FOREIGN COUNTRY (Give name and address. If same as ultimate consignee, state "Same.") -SAME-		7. IF PURCHASER IN FOREIGN COUNTRY IS OTHER THAN ULTIMATE CONSIGNEE, GIVE NAME AND ADDRESS. (If same, state "Same.") -SAME-
8. (a) QUANTITY TO BE SHIPPED (See instructions on back) 5.044 # contained Uranium in 12 # of Thorium Nitrate 20.207 # contained Uranium in 36 # Uranyl Acetate	(b) COMMODITY DESCRIPTION (Include chemical and physical form; for special nuclear material and byproduct material also specify isotopic content; if in a device, identify the device, manufacturer, and model number.) THORIUM NITRATE RE XTL URANYL ACETATE RE PWD	

(c) SHIPPING AND PACKING PROCEDURES (Required for special nuclear material. See instructions on back.)

9. END USE OF COMMODITIES COVERED BY THIS APPLICATION: (Describe fully, stating what will be produced or manufactured, what service will be rendered, or the nature of the research that will be performed.) (See instructions on back for special nuclear material.)

FOR RESALE IN COUNTRY OF ULTIMATE DESTINATION AND CONSUMPTION IN THAT COUNTRY.

10. The applicant, and any official executing this certificate on behalf of the applicant named in Item 4, certify that this application is prepared in conformity with Title 10, Code of Federal Regulations, Parts 30 and 36. (if for byproduct material) or Part 40 (if for source material), or Part 70 (if for special nuclear material), and Part 71 (for transport of radioactive material, if applicable) and that all information contained herein, including any supplements attached hereto, is true and correct to the best of their knowledge and belief.

J. T. BAKER CHEMICAL CO.

(Applicant named in Item 4)

By:

T. M. MAKOWSKI
MANAGER, EXPORT SERVICES

(Title of certifying official authorized to act on behalf of the applicant)

0543

Rec'd 3/21/76 LFMB-ase

Instructions

The export of byproduct, source or special nuclear material is prohibited unless the exporter holds a specific AEC export license or, with respect to byproduct and source material, unless the exporter is authorized under a general AEC export license as provided in AEC regulations 10 CFR Parts 36 and 40. APPLICATION FOR A SPECIFIC AEC EXPORT LICENSE SHOULD BE FILED IN TRIPLICATE ON THIS FORM AEC-7.

Specific or general AEC export licenses cover only the byproduct, source or special nuclear material involved in the export. If such material is contained in instruments or devices, a license may also be required from the Department of Commerce covering the export of such instruments or devices.

Item 8(a) - State the amount of byproduct material in millicuries or curies (state which unit is used). State the weight of contained thorium and uranium in pounds or kilograms (state which unit is used) and the net weight of the shipment (for example, 10 pounds thorium contained in 250 pounds thorium magnesium alloy). State the weight of contained special nuclear material in parts or multiples of grams.

Item 8(c) - If the requirements of 10 CFR Part 71 ("Packaging of Radioactive Material for Transport") are not applicable to the packaging and transport of the byproduct, source or special nuclear material to be exported, or if the packaging and transport of such material is subject to a general license or is exempt from the provisions of 10 CFR Part 71, so indicate. Identify where applicable the specific AEC license and date of issuance authorizing, pursuant to 10 CFR Part 71, the delivery of such material to a carrier for transport. If a specific AEC license or an amendment to an existing license is required by 10 CFR Part 71 in connection with the packaging and transport of the material proposed to be exported, an application containing the information specified in 10 CFR § 71.21 should be submitted with Form AEC-7.

Item 9 - For special nuclear material, a statement of end use from the consignee must accompany this application.