



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

April 26, 2018

Mr. Robin DeLaBarre
Office of Nuclear Energy,
Safety & Security Affairs, Room 3320 HST
Bureau of International Security
& Nonproliferation
U.S. Department of State
2201 C Street, NW
Washington, D.C. 20520

Dear Mr. DeLaBarre:

Enclosed is an application dated March 19, 2018, recently received by the U.S. Nuclear Regulatory Commission (NRC) from Linde Electronics and Specialty Gases, requesting amendment 02 to XMAT413/01. The purpose of the amendment is: 1) add two additional ultimate consignees; and 2) increase the amount of deuterium gas from 1170 kilograms (kg) to a new total of 1505 kg.

In accordance with our mutual understandings documented in August 2016, "Processing applications for licenses for exports of deuterium," we would appreciate receiving your judgement as to whether:

- The facts of the proposed export are consistent with non-nuclear end use;
- The Executive Branch does not see a need for assurances from the recipient government; and
- The proposed export would not be inimical to the common defense and security of the United States.

Since India is on the list in 10 CFR110.29 of restricted destination, before taking action on this request, we would also appreciate your views, in accordance with established procedures and from the overall perspective of the Executive Branch, as to whether the requested export meets the applicable criteria in the Atomic Energy Act of 1954, as amended.

Sincerely,

A handwritten signature in black ink, appearing to read "Janice E. Owens".

Janice E. Owens, Acting Chief
Export Controls and Nonproliferation Branch
Office of International Programs

Enclosure:
Export License Application

cc w/enclosure:

K. Strangis, DOE/NNSA
J. Norles, DOE/NNSA
M. Shoemaker, NRC/NMSS
J. Semones, DHS/CBP

S. Aguilar, NRC/NMSS
M. Chen, DOE/NNSA
P. Dessauls, DOE/NMMSS

R. Bennett, DHS/CBP
S. Clagett, DOC
E. Sauls, DTRA