



DEPARTMENT OF STATE

Washington, D.C. 20520

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BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS OFFICE OF INTERNATIONAL PROGRAMS

APR 18 1979

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

Dear Mr. Shea:

I refer to your letter dated February 27, 1979, 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:

NRC No. XB001016 -- Application by Edlow International Company for authorization to export to Switzerland 800,000 curies of tritium in bulk gaseous form for the production of sealed gaseous tritium light sources.

It is the opinion of the Executive Branch that the proposed export may be made without being subject to the terms of an Agreement for Cooperation since byproduct material may be licensed under Sections 81 and 82 of the Atomic Energy Act without the prerequisite of a Section 123 Agreement. Further it is the judgment of the Executive Branch that the byproduct material export contemplated will not be inimical to the common defense and security of the United States, provided that: 1) the validity of the license is limited to twelve months from date of issuance; 2) no more than 200,000 curies is shipped in any one quarter; 3) no shipment exceeds 30,000 curies, and 4) no retransfer of this material in bulk gaseous form from Switzerland be permitted without the prior consent of the United States Government.

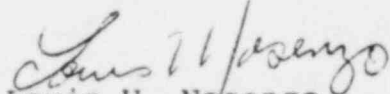
The Executive Branch has concluded that this export is consistent with the provisions of the Atomic Energy

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Act of 1954, as amended, and with the Nuclear Non-Pro-  
liferation Act of 1978. A detailed analysis is believed  
unnecessary in this case because of the small quantity  
contained in each unit and the non-nuclear end use.

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

Sincerely,



Louis V. Nosenzo  
Deputy Assistant Secretary