



DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

November 3, 1978

ACU SUB-8302
40-8481

RECEIVED
U.S. NRC

1978 NOV 3 PM 1 54

EXPORT/IMPORT
AND
INTERNAT'L SFGDRS

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 July 21, 1978, for Executive Branch views on whether amendment of an export license in accordance with the application hereinafter described would be inimical to the common defense and security of the United States and whether the proposed export meets the applicable criteria in the Atomic Energy Act of 1954, as amended, and the Nuclear Non-Proliferation Act of 1978 (P.L. 95-242):

NRC No. SUB-8302 -- Application by the Boeing Company to add Cathay Pacific Airways Limited, Hong Kong; Union De Transports Aeriens, France; and Saudi Arabian Airlines as additional ultimate consignees to NRC license SUB-8302, authorizing export of a maximum of 4000 pounds per consignee of depleted uranium in the form of aircraft counterweights. The overall ceiling for all countries would remain at 250,000 pounds.

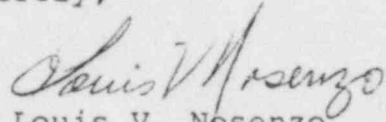
It is the opinion of the Executive Branch that the proposed export may be made without being subject to the terms of an Agreement for Cooperation since source material may be licensed under Section 64 of the Atomic Energy Act without the prerequisite of a Section 123 Agreement. Further, it is the judgment of the Executive Branch that the source material export contemplated will not be inimical to the common defense and security of the United States. The Executive Branch has concluded that this export is consistent with the provisions of the Atomic Energy Act of 1954, as amended, and with the Nuclear Non-Proliferation Act of 1978. A detailed analysis is believed unnecessary in this case because of the relatively small quantity of material involved per consignee and the non-nuclear end-use.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Louis V. Nosenzo".

Louis V. Nosenzo
Deputy Assistant Secretary