

8006120318



DEPARTMENT OF STATE

Washington, D.C. 20520

RECEIVED
U.S. NRC

BUREAU OF OCEANS AND INTERNATIONAL
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

APR 25 PM 3 44

APR 25 1980

EXPORT/IMPORT
AND
INTERNAT'L SFGRDS

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

*XB001016
11000477
Amend. 1*

Dear Mr. Shea:

I refer to the letter dated March 13, 1980, from your office requesting Executive Branch views as to 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, as amended by the Nuclear Non-Proliferation Act of 1978:

NRC No. XB001016 -- Application by Edlow International Company to extend the validity of license XB001016 to May 1, 1983. This license authorizes export to Switzerland of 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 export to be made under the license proposed for extension 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 May 1, 1983; 2) there is no addition to the total amount of tritium authorized for export under this license; 3) no more than 200,000 curies is shipped in any one quarter; 4) no shipment exceeds 30,000

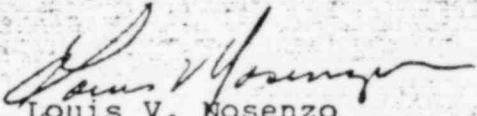
POOR ORIGINAL

curies, and 5) 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 Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978. A detailed analysis is believed unnecessary in this case because of the conditions attached to this export, the intended destination and the non-nuclear end-use.

On the basis of the foregoing, the Executive Branch recommends that the license be extended as requested.

Sincerely,



Louis V. Nosenzo
Deputy Assistant Secretary

POOR ORIGINAL