



DEPARTMENT OF STATE

Washington, D.C. 20520

ACC XB001094
11002021

RECEIVED
U.S. NRC

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS MAY 16 PM 2 25

MAY 15 1980

EXPORT/IMPORT
AND
INTERNAT'L SFGROS

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

Dear Mr. Shea:

I refer to the letter from your office dated April 17, 1980, 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 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. XB001094 -- Application by Self-Powered Lighting Ltd. for authorization to export to various Condition 2 Countries a total of 450,000 curies of tritium over a 5-year period incorporated into sealed light sources and assembled in optical instruments and safety signs. These light sources are to be assembled in electronic timepieces.

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 license is valid for 60 months from the date of issuance; 2) the license authorizes a total export of no more than 450,000 curies or 150,000 curies per annum; 3) no individual shipment exceeds 5,000 curies; 4) no more than 25,000 curies will be shipped to any one country without prior U.S. Government approval; and 5) only the export of tritium incorporated in luminous sources assembled into optical instruments and safety signs is authorized.

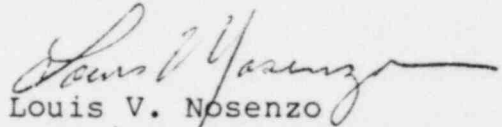
*Copy to FDR and ACC 5-19-80

Shea, Peterson 8005290097

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 relatively small quantity of material involved per shipment, the dispersed form of the material 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