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DEPARTMENT OF STATE

Washington, D.C. 20520

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JUL 7 1980

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

EXPORT/IMPORT  
AND  
INTERNATIONAL SPREADS

JUL 07 1980

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

Dear Mr. Shea:

This letter is in response to the letter from your office dated May 6, 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 of the Atomic Energy Act of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 (P.L. 95-242):

NRC No. XU08496 -- Application by Tech/Ops for authorization to export a total of up to 5,000 kilograms of depleted uranium in the form of metal shielding for containers of radioactive material, cobalt-60 and iridium 192 used for industrial radiography and exported under general license. The containers incorporating this depleted uranium are intended for export to Albania, Bulgaria, Czechoslovakia, German Democratic Republic, Hungary, Mongolia, Poland, Romania, Peoples Republic of China and the Soviet Union. Each container incorporates from 14 to 168 kilograms of depleted uranium as shielding.

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 Sections 62 and 64 of the Atomic Energy Act without the prerequisite of a Section

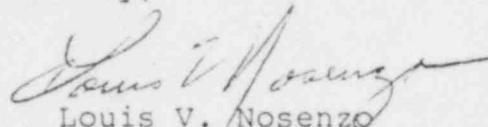
\*Copy to PDR and ACC 7-8-80

Shea, Peterson

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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 by the Nuclear Non-Proliferation Act of 1978. A detailed analysis is believed unnecessary in this case because of the relatively small quantities of material involved per shipment, and the non-nuclear end-use.

Sincerely,



Louis V. Nosenzo  
Deputy Assistant Secretary