



DEPARTMENT OF STATE

Washington, D.C. 20520

ACU

XB001097

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BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS 7 PM 1 00

JUL 03 1980

EXPORT CONTROL
INTERNATIONAL AFFAIRS

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 May 8, 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. XB001097 -- Application by Edlow International for authorization to export to Canada via the United Kingdom 10,100 curies of tritium in bulk gaseous form for production of metal tritides to test storage capabilities of CANDU reactors. Shipments to Canada are to be made in 1,000 curie lots.

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.

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 in view of the intended destination, the end-use and the relatively small quantity of material involved per shipment.

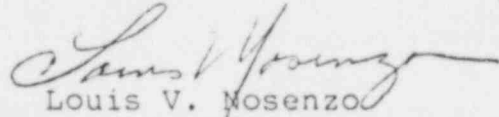
Copy to PDR and ACC 7-8-80.

Shea, Peterson

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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. Mosenzo".

Louis V. Mosenzo
Deputy Assistant Secretary