



DEPARTMENT OF STATE

Washington, D.C. 20520

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J.S. NRC

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS
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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 the letter from your office dated August 25, 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:

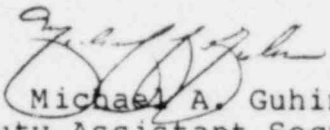
NRC No. XB001105 -- Application by Westinghouse Electric Corporation for authorization to export to Taiwan 904 micrograms of californium-252 contained in 4 sealed sources for plant start up at the Taiwan nuclear power plants Units 7 and 8 and 12 radiation surveillance capsules for the same facilities containing a total of 250 milligrams of Neptunium-237.

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, and with the Nuclear Non-Proliferation Act of 1978. A detailed analysis is believed unnecessary in this case because of the small quantity of material involved.

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

Sincerely,

City 
Michael A. Guhin
Deputy Assistant Secretary