



DEPARTMENT OF STATE

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BUREAU OF OCEANS AND INTERNATIONAL  
ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

OFFICE OF  
INTERNATIONAL  
PROGRAMS

December 4, 1980

XU08302

40-8481

(Amendment No. 8)

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 October 3, 1980, 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 of 1954, as amended by the Nuclear Non-Proliferation Act of 1978 (P.L. 95-242):

**NRC No. XU08302** — Application by the Boeing Company to add Air New Zealand Ltd., Auckland, New Zealand; British West Indies Airways, Ltd., Trinidad; Luxavia, Transvaal, Republic of South Africa; Air Afrique, Abidjan, Ivory Coast, as additional ultimate consignees to NRC license XU08302, authorizing export of a maximum of 1000 pounds per consignee or 10,000 pounds per country of depleted uranium in the form of aircraft counterweights. The overall ceiling for all countries would remain at 250,000 pounds.

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 123 Agreement. Further, it is the judgment of the Executive Branch that the addition of Air New Zealand Ltd., British West Indies Airways, Ltd. and Air Afrique to the license as ultimate consignees for the source material export contemplated will not be inimical to the common defense and security of the United States. The request to add Luxavia airlines of Transvaal, South Africa, to license XU08302 is still under review by the Executive Branch.

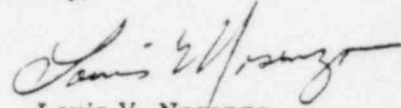
The Executive Branch has concluded that the export to New Zealand, Trinidad and the Ivory Coast is consistent with the provisions of the Atomic Energy Act of 1954 as amended by the Nuclear Non-Proliferation Act of 1978. A detailed analysis is believed unnecessary in this case because of the nature of the material involved, and the non-nuclear end-use.

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On the basis of the foregoing, the Executive Branch recommends that the license be amended in accordance with the proviso set forth above.

Sincerely,



Louis V. Nosenzo  
Deputy Assistant Secretary

