



DEPARTMENT OF STATE

Washington, D.C. 20520

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BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS
OFFICE OF INTERNATIONAL PROGRAMS

NOV 25 1980

O-H-ly
cc: JRS
JBD

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 September 30, 1980, requesting Executive Branch views as to whether extension 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. XB001046 -- Application by Timex Corporation to extend the validity of license No. XB00-1046 for one year to authorize export to the Philippines and Singapore of a total of 400,000 curies of tritium incorporated into sealed light sources. These light sources are to be assembled in electronic timepieces. No addition to the quantity of material originally authorized for export is requested.

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 extended for 12 months only; 2) there will be no addition to the amounts now authorized under the existing license, i.e., 400,000 curies to all destinations combined or 200,000 curies per country; 3) no individual shipment exceeds 5,000 curies; 4) shipments

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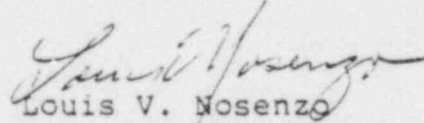
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to each country shall be limited to a maximum of 50,000 curies per quarter; and 5) only the export of tritium incorporated in luminous sources is authorized.

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 extended as requested.

Sincerely,



Louis V. Nosenzo
Deputy Assistant Secretary