



DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

1982 AUG 2 PM 1 57

PDR

XB001010

11000 396

RECEIVED
E.S. HRC

July 30, 1982

EXPORT/IMPORT
AND
INTERNATIONAL SFGRDS

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

Dear Mr. Shea:

I refer to the letter from your office dated June 9, 1982, requesting Executive Branch views as to whether amendment of an export license in accordance with the application hereinafter described meets the applicable criteria in the Atomic Energy Act, as amended by the Nuclear Non-Proliferation Act of 1978:

NRC No. XB001010 — Application by Saunders-Roe Development, Inc. for amendment of license XB001010 to extend its validity to September 15, 1983 and to authorize export of an additional 300,000 curies to cover the extension period for a total of 1,300,000 curies of tritium to be exported to the United Kingdom for production of sealed light sources. Each shipment would continue to be limited to 30,000 curies with a maximum of 4 shipments per month.

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. 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. 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 extension of the validity of the license is limited to 12 months; 2) no individual shipment exceeds 30,000 curies and no more than four shipments are made in any given month; and 3) the tritium authorized for export under this license is not to be re-exported from the U.K. in bulk gaseous form.

On the basis of the foregoing, the Executive Branch recommends that the license be amended as requested.

Sincerely,

James B. Devine
Deputy Assistant Secretary

*Copy to IDR and ACC 8-2-82

8208180258 820730
PDR XPORT
XB-1010 PDR

(04)
00440