



DEPARTMENT OF STATE

Washington, D.C. 20520

BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

October 25, 1982

Mr. James R. Shea
Director of International Programs
United States Nuclear Regulatory Commission
Room 6714 - MNBB
Bethesda, Maryland

U.S. DEPARTMENT OF STATE
INTERNATIONAL AFFAIRS

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PDR
XB001164
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Dear Mr. Shea:

I refer to the letter from your office dated September 22, 1982, requesting Executive Branch views as to whether issuance 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. XB001164 — Application by Edlow International Company for authorization to export to the United Kingdom 500,000 curies of tritium, in bulk gaseous form, for the production of sealed light sources, over a four-year period.

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) no individual shipment shall exceed 30,000 curies and no more than 2 shipments shall be made in any single month; and 2) no re-export from the United Kingdom of this tritium in bulk gaseous form shall take place unless specifically authorized by the U.S. Government.

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

Sincerely,

James B. Devine
Deputy Assistant Secretary

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PDR XPORT
XB-1164 PDR

*Copy to PDR and ACC 10-28-82
ELD/Becker, M. Peterson, J. Zimmerman,
J. Shea