



United States Department of State

Washington, D.C. 20520

PDR XB001016

Amend 2

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BUREAU OF OCEANS AND INTERNATIONAL ENVIRONMENTAL AND SCIENTIFIC AFFAIRS

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April 20, 1983

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

EXPORT/IMPORT
AND
INTERNATIONAL AFFAIRS

Dear Mr. Shea:

I refer to the letter dated March 7, 1983, from your office 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. XB001016 — Application by Edlow International Company to extend the validity of license XB001016 to May 1, 1990. This license authorizes export to Switzerland of 800,000 curies of tritium in bulk gaseous form for the production of sealed gaseous tritium light sources. The balance remaining to be exported under this license is 500,000 curies.

It is the opinion of the Executive Branch that exports under the license proposed for extension 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 validity of the license is limited to May 1, 1990; 2) there is no addition to the total amount of tritium authorized for export under this license; 3) no more than 200,000 curies is shipped in any one quarter; 4) no shipment exceeds 30,000 curies, and 5) no retransfer of this material in bulk gaseous form from Switzerland be permitted without the prior consent of the United States Government.

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.

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

Sincerely,

Carlton R. Stoiber

Acting Deputy Assistant Secretary

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checked by shady 4/21

Copies to: Shea, Zimmerman, Moore, Peterson,
Becker/ELD, Cohen, PDR

"Copy to PDR and ACC 4-21-83"