



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 14, 2018

MEMORANDUM TO: The File

FROM: Peter Habighorst, Branch Chief
Export Controls and Nonproliferation
Office of International Programs

SUBJECT: ISSUANCE OF LICENSE WITHOUT WAITING FOR
EXPIRATION OF 30 DAYS PUBLIC NOTICE FOR EXPORT
LICENSE PXB218.00

On January 29, 2018, U.S. Nuclear Regulatory Commission (NRC) received an application from Ronan Engineering Company (Ronan) to export Category 2 quantities of Cs-137 to TSGI Muhendislik Insaat Limited, located in Turkey. Ronan had been waiting two years for their customer in Turkey to provide a copy of their import permit. They recently obtained a copy only to learn it will expire on March 12, 2018. This means Ronan must get their shipment through Turkish customs prior to March 12, 2018. In order to accomplish this, Ronan will need to ship the material by February 22, 2018. With this constraint, Ronan will need expedited review to meet this deadline, as there are only 23 days left for it to be posted publicly in the NRC's Public Document Room (ADAMS) for the 30 day public comment period.

On January 30, 2018, Ronan sent NRC a letter requesting a waiver of the normal 30-day public comment period for the pending application to be available in ADAMS and to expedite processing of the license so that shipment could be made on or before February 22, 2018. In the letter, Ronan stated that if their customer's import license expires, their customer will have to re-file for the permit, which could take months.

Under NRC regulations found at 10 CFR Section 110.70, the Commission will notice the receipt of each license application for an export or import for which a specific license is required by making a copy available at the NRC Web site. Under NRC regulations found at 10 CFR Part 110.81, the Commission encourages written comments from the public regarding export and import license applications, and will consider and, if appropriate, respond to these comments. Under NRC regulations found at 10 CFR Section 110.82, a person may request a hearing or petition for leave to intervene on a license application for an import or export requiring a specific license. In the event of the need to respond to a petition for leave to intervene from the public after the license is issued, the licensee will be notified and asked to suspend use of the license until the issue is resolved.

The NRC staff has completed its review and based on information provided by the applicant, the NRC staff has concluded that issuance of the proposed export license is not inimical to the common defense and security. Although the 30 days has not expired, because of the non-controversial nature of the export, and given the need for the licensee to meet its shipping date, I recommend issuing the license at this time without waiting for the expiration of the 30 days normally allotted for public notice.