



U.S. Department of Commerce Bureau of Industry and Security

Role of the Bureau of Industry and Security (BIS) In Implementing The Additional Protocol to the U.S.-IAEA Safeguards Agreement

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U.S. Additional Protocol Status

- DOC (15 CFR Parts 781-786) – October 31, 2008
- Ratification and Entry into Force – January 6, 2009
- Information Collection – Completed February 13, 2009
- Assessment/Vetting – Completed March 31, 2009
- Formal Certification to the White House – April 17, 2009
- Submission of U.S. Initial AP Declaration – July 5, 2009

The U.S. Additional Protocol



- Expands U.S. declaration requirements and IAEA rights of access to nuclear-related activities
- Requires reporting of and access to all aspects of the nuclear fuel-cycle, such as:
 - Research and development not involving nuclear material (both publicly and privately funded)
 - Nuclear-related imports (when requested by the IAEA) and exports (quarterly) of equipment and materials
 - Nuclear-related equipment manufacturing
 - Mining/ore processing
- Expands access to nuclear fuel cycle facilities, activities, and related locations (complementary access)

BIS Implementation Responsibilities



- Article 2a.(i) – USG-sponsored nuclear fuel-cycle-related R&D not involving nuclear material
- Article 2a.(iv) - Locations engaged in manufacturing of fuel-cycle-related equipment (e.g., gas centrifuges, diffusion barriers, zirconium tubes)
- Article 2a.(v) - Uranium hard rock mines
- Article 2a.(ix)(b) – Imports of nuclear-related equipment (when requested by the IAEA)
- Article 2b.(i) – Private nuclear fuel-cycle-related R&D not involving nuclear material
- Article 2b.(ii) – Locations outside a “site” the IAEA considers may be functionally related to that site

Anticipated Impact on Industry



- BIS anticipates low verification burden
 - Minimal reporting requirements
 - User-friendly report forms
 - No systematic complementary access and only a few instances of CA anticipated annually
 - Complementary access to R&D and manufacturing locations preceded by request for clarification
- Possible to have co-located BIS and NRC regulated activities
 - For complimentary access at locations where co-located activities exist, the Lead Agency will invite the other agency to participate

BIS Responsibility



- BIS (Bureau of Industry and Security)
 - All commercial industry locations *not* licensed by NRC and not subject to DOD or DOE Additional Protocol reporting requirements

Information Collection Timelines



- Annual Reports:
 - Submitted to DOC by January 31st of each year
 - Starting in 2010
- Import Verification Reports:
 - Within 60 days of an IAEA request
- Export Reports
 - Submitted to DOC 15 days after the end of each quarter
 - April 15th, July 15th, October 15th, and January 15th
- IAEA may request amplifications or clarifications of all declaration information

Information Collection Process



- BIS and NRC use a joint information collection process
- Paper based forms
- All AP reporting forms are submitted to BIS
 - BIS segregates NRC licensee submitted forms and forwards them to NRC for review
- Forms have been designed to only require information necessary to comply with Additional Protocol requirements
 - Check-box and short answer forms rather than text-based
 - “No-change” annual declarations
- BIS regulations instruct industry not to submit classified information with declarations
- Future plans to develop and implement a computerized reporting system utilizing web-based forms

Guidance Document Development



- Website developed with applicable references and documents www.ap.gov
- Joint BIS/NRC Additional Protocol Reporting Handbooks
 - Reporting guidance
 - Forms
 - Step by step instructions

Reported Activities

- Article 2.a (i) – Fuel-Cycle related R&D (publicly funded)
 - DOC – 18 entries
 - Total US – 128 entries
- Article 2.a (iv) – Fuel-cycle related manufacturing
 - DOC – 15 entries
 - Total US – 19 entries
- Article 2.a (v) – Uranium hard rock mines
 - DOC – 21 entries
 - Total US – 33 entries
- Article 2.b (i) – Fuel-cycle related R&D (privately funded)
 - DOC – 2 entries
 - Total US – 2 entries

Anticipated Events



BIS outreach:

- NMA/NRC Uranium Recovery Workshop – Denver, CO July 1-2, 2009
- INMM 50th Annual Meeting – Tucson, AZ July 12-16, 20069

Point of Contact



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