

# The 123's of International Safeguards

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# 123 Agreements

- Section 123 of the Atomic Energy Act requires that significant nuclear exports from the U. S. take place pursuant to an agreement for peaceful nuclear cooperation with the recipient country
- Negotiated by the Department of State, with the technical assistance and concurrence of the Department of Energy, and in consultation with the Nuclear Regulatory Commission.

# 123 Agreements

- Currently there are Agreements with:
  - 22 individual countries
  - EURATOM (27 countries)
  - International Atomic Energy Agency
  - Taiwan
- Facilities in the U.S. need to track some nuclear materials and equipment imported, produced, exported and report inventories.
- Facilities need to track nuclear material which flows through equipment subject to some of these Agreements.
- Most agreements are reciprocal in nature.

# Agreements as of May 2012:

- Argentina
  - **Australia**
  - Bangladesh
  - Brazil
  - **Canada**
  - China
  - Colombia
  - Egypt
  - **EURATOM**
  - IAEA
  - India
  - Indonesia
  - **Japan**
  - Kazakhstan
  - Korea, Rep. of
  - Morocco
  - Norway
  - **Peru** (expired, April 2012)
  - Russia
  - South Africa
  - Switzerland
  - Taiwan
  - Thailand
  - Turkey
  - U.A.E.
  - Ukraine
- Agreements expire and must be renegotiated.
  - Agreements are being considered/negotiated with Vietnam, Mongolia, and Saudi Arabia.

# Basic Requirements

- IAEA safeguards will be maintained
- Peaceful use assurances
- Adequate physical protection
- Prior consent for retransfers

NRC responsible for ensuring compliance by NRC and NRC Agreement State licensees

# U.S. Government Implementation

- Materials subject to an Agreement are “obligated”
- May be multiple obligations on material
- Nuclear material is tracked by the licensee and reported to the Nuclear Materials Management & Safeguards System (NMMSS)
- All Agreements require inventories upon requested.
  - Some countries require annual inventories



# U.S. Government Reports

- Yearly Reporting:
  - Balance of obligated materials from Australia, Canada, EURATOM, Japan, and Switzerland  
**(5 annual reports)**
- Monthly Reporting:
  - Imports and exports of Australia, Canada, EURATOM, and Japan of obligated material  
**(48 monthly reports)**
- Weekly Reporting:
  - Exports of Australia, Canada, and EURATOM obligated material to Japan or South Korea  
**(156 weekly reports)**

# U.S. Government Implementation

- U.S. Government has procedures and processes to ensure compliance with 123 Agreements
  - NRC requests peaceful use assurances from licensees importing nuclear material and equipment
  - All facilities with obligated material will be covered by the U.S. – IAEA Safeguards Agreement
  - NRC licensees must meet physical protection requirements
  - The “country of obligation” must provide approval for exports **PRIOR** to the shipment of the material.



# U.S. Government Implementation

- It is critical that licensees remain aware of any material at their facility that is obligated
  - Licensee's responsibility to track and report this material
- U.S. compliance with Agreements is contingent on licensees abiding by regulations
- The efforts of the NRC and Agreement State licensees are appreciated

# U.S. Government Implementation

- Contact the NRC Office of International Programs (OIP) or Nuclear Materials Safety and Safeguards (NMSS) with questions regarding 123 Agreements and obligation tracking and reporting
- Primary Contacts:

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