



## Foreign Obligation Reporting

Presented by:

Mitch Hembree





## **Topics**



- Agreements that drive foreign obligations accounting regulations
- Conditions that require tracking obligations

#### How to Report Foreign Obligations.

- Obligations on DOE/NRC Form 741 and DOE/NRC Form 742
- Obligation material types and country codes
- Process for reporting obligations
- Process for adjusting obligations
- Process for exchanging obligations

#### **Case Studies**

- Domestic DOE/NRC Form 741
- Adjustment 741





## What is Foreign Obligation Reporting?



### Foreign Obligation Defined

#### **Foreign Obligation**

- Applies to nuclear material located within the U.S. that is subject to a NCA
- NCA requirements are listed in Section 123 of the Atomic Energy Act of 1954, as amended
- NCAs streamlines the licensing process for the export of nuclear material, equipment and technology to other countries
- Nuclear material subject to a NCA is to only be used for peaceful uses





#### Foreign Obligations Accounting Regulations

- The U.S. government negotiates and agrees to the specific terms, conditions, format, and content of reporting.
  - DOE require its sites to track, report transactions and inventory of obligated nuclear material to NMMSS.
  - NRC requires its licensees to track, report transactions and inventory of obligated nuclear materials to NMMSS.
- Two digit codes are used to identify which NCA(s) that the nuclear material is obligated.
- Obligated nuclear material is reported to NMMSS through the use of DOE/NRC Form-741 and 742.





#### Bilateral Agreements

List of Agreements for Peaceful Nuclear Cooperation that are in force with the U.S. as of January 1, 2021:







### Reciprocal Agreements

- Most NCAs are reciprocal in nature.
- The U.S. Government provides routine reports to most NCA partners documenting the U.S. holdings of nuclear material subject to their NCA.
- Following are several NCA partners to whom the U.S. provides greater number of routine reports.
  - Australia
  - Canada
  - EURATOM
  - Japan
  - China
  - Switzerland









#### Communications

#### Typical process regarding **Prior** Notifications

- The foreign facility applies to its' government for a license to export nuclear material to the U.S.
- If the foreign government replies that the proposed export is to be subject to their NCA with the U.S. they provide "Prior Notification" communication to the U.S. in which they
  - Seek assurance that the material, upon receipt, will be subject to the terms and agreement of the associated 123 Agreement
  - Provide information as to the name of the proposed U.S. recipients of the material, quantity of material
  - Seeks confirmation that the nuclear material will be provided adequate physical protection





#### Communications (Continued)

#### Typical process regarding **Prior** Notifications

- U.S. government informs the intended U.S. recipient of the proposed import and seeks confirmation that the recipient is expecting the shipment, authorized to receive the material, and will identify and track the material as obligated when received.
- The U.S. government replies to NCA partner and acknowledges receipt of the 'prior notification' and confirms that the proposed recipient is authorized to receive and possess the nuclear material, adequate physical protection will be applied and that the nuclear material will be subject to the terms of NCA between the U.S. and NCA partner.





#### Communications (Continued)

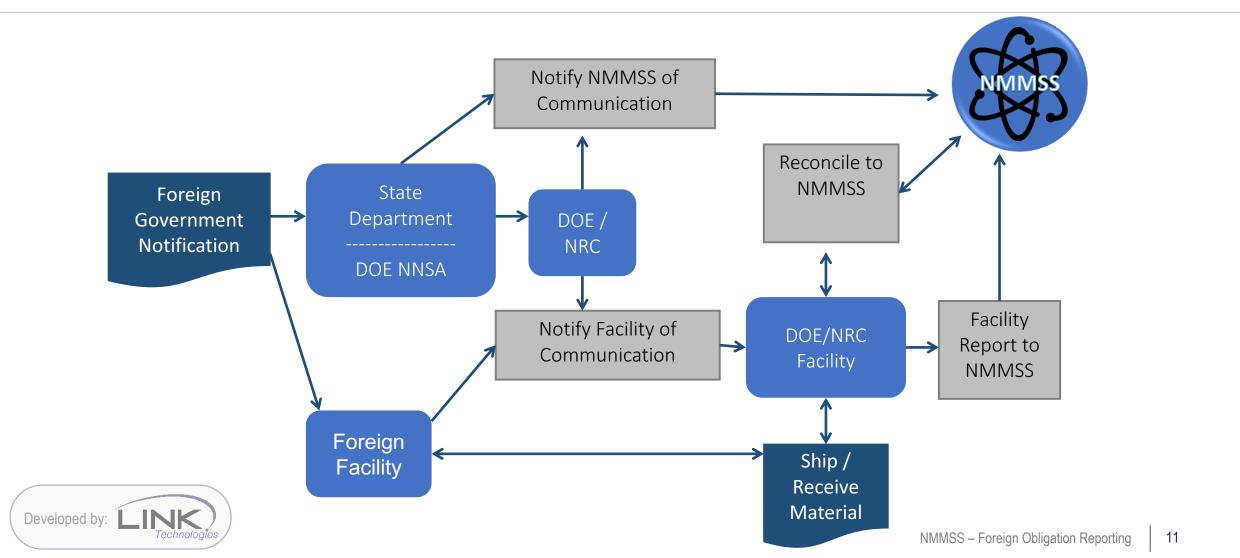
#### Typical process regarding Confirmation Notifications

- NCA partners notifies the U.S. government that the nuclear material, identified in the 'prior notification' has been shipped and notes the shipment date and details of material shipped.
- When U.S. facility documents receipt (with submission of a Form 741 to NMMSS) the U.S. government notifies NCA partner of receipt.
- If the NCA partners' material is to be shipped from a third country, a similar exchange of communications is performed.





#### Obligations Accounting Notification Process





### How to Report Foreign Obligations.



## Tracking Obligations within the U.S. Fuel Cycle

#### The following **foreign** obligation activities may require associated obligations:

- Imports of material
  - Natural uranium to conversion and enrichment plants
  - Enriched uranium to fuel fabrication facilities
  - Return of spent fuel from foreign research reactors
- Exports of material
  - Enriched uranium
  - Natural uranium
  - Fabricated fuel assemblies
- Retransfers
- International Obligation Exchanges





### Tracking Obligations within the U.S. Fuel Cycle (Continued)

DOE/NRC Form 741s are used to document changes that occur within facilities that impact the nuclear material inventory at the facility such as:

- Domestic Shipments and Receipts
- Nuclear loss
  - Plutonium decay
  - U<sup>235</sup> fission
- Production
  - Pu production
- Category changes
  - NU → DU and EU in enrichment
  - NU → LEU via blending
- Others
  - Shipper/receiver differences
  - Process losses





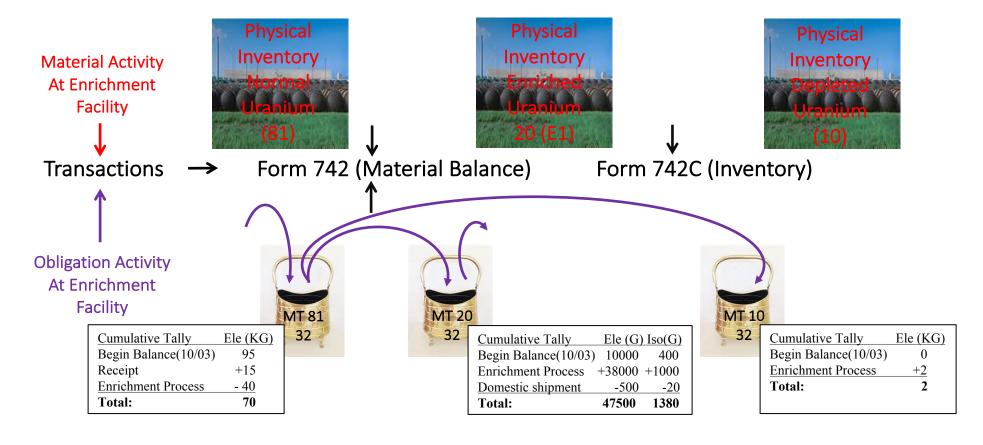
#### Tracking Obligations within the U.S. Fuel Cycle (Continued)

- DOE/NRC Form 741 is also used to document the nonphysical movement of obligations from one RIS to another RIS.
- Such a transfer is called an "Obligation Exchange" and involves the following general conditions:
  - Exchanges are permitted for the same type of materials, e.g., Natural U Natural U.
  - Exchanges involve the same quantity of obligated material (for example, 10 Kg of Natural U for 10 Kg of Natural U).
  - Exchanges of non-irradiated material for non-irradiated material.
  - One RIS transfers its obligated material to another RIS who accepts the obligated material.
  - Both RISs agree to the transfer and submit a DOE/NRC Form 741 to document the transfer & receipt on the same day.





## U.S. Fuel Cycle Obligations Tracking Example (Enrichment Facility)







### Foreign Obligated Nuclear Material Types

Type	Domestic Code	Import/Export Code	Reportable Unit
Depleted Uranium	10	D	Kilogram Uranium
Enriched Uranium	20	EG	Gram Uranium Gram U-235
Plutonium	50	Р	Gram Plutonium
Uranium-233	70	EK	Gram Uranium Gram U-233
Natural Uranium	81	N	Kilogram Uranium
Thorium	88	Т	Kilogram Thorium



## NMMSS Foreign Obligations System

- Been in use since October 2003
- United States facilities were notified of their beginning foreign obligated balances
- Foreign Obligated quantities identified in DOE/NRC Form 741 and DOE/NRC Form 742.
- DOE guidance contained in NMMSS Users Guide and NRC guidance contained in NUREG/BR-0006 and NUREG/BR-0007.



#### Foreign Obligations System (Continued)

- Obligation specific action codes
  - Recall action codes X, Y, and R
- Effective for transactions with an action date of 10/1/03 and later
- NRC facilities possess the majority of the foreign obligations located within the U.S.
- Periodic reporting: all foreign obligated nuclear material activity reported to foreign governments originate from 741 data





## **Obligation Codes**

- The United States established a set of obligation codes for United States nuclear facilities identifying nuclear material subject to the NCAs.
- Codes are used by facilities when reporting both obligated nuclear material inventory and inventory changes to NMMSS.
- Unique two-digit identifiers indicate whether a quantity of nuclear material is obligated to one NCA (single obligated material) or the nuclear material is simultaneously obligated to two or more NCAs (for example, layered, obligated material).
- Obligation codes are used to track and report the quantity and location of obligated nuclear material as it moves through United States facilities.





#### Obligation Codes for DOE/NRC Form 741

Code	Country Obligation						
31	Australia						
32	Canada						
33	EURATOM						
34	Japan						
35	People's Republic of China						
36	Russia						
37	Switzerland						
38	Argentina						
39	Brazil						
40	Chile						
45	United Kingdom						
46	United Kingdom/Australia						
47	United Kingdom/Canada						
48	United Kingdom/EURATOM						
49	United Kingdom/Australia/EURATOM						

Code	Country Obligation
50	United Kingdom/Canada/EURATOM
51	United Kingdom/Australia/Japan
52	United Kingdom/Canada/Japan
53	United Kingdom/EURATOM/Japan
54	United Kingdom/Japan
56	LES Centrifuge Enrichment/Australia/United Kingdom
57	LES Centrifuge Enrichment/Canada/United Kingdom
58	LES Centrifuge Enrichment/United Kingdom
62	LES Centrifuge Enrichment/Australia/EURATOM
63	Switzerland/Canada
64	Australia/Canada/Japan
65	Japan/Russia
66	EURATOM/Russia
67	Australia/Japan/Russia
68	Canada/Japan/Russia



#### Obligation Codes for DOE/NRC Form 741 (Continued)

Code	Country Obligation						
69	EURATOM/Japan/Russia						
70	Japan/LES Centrifuge Enrichment						
71	Australia/Japan/LES Centrifuge Enrichment						
72	Canada/Japan/LES Centrifuge Enrichment						
73	EURATOM/Japan/LES Centrifuge Enrichment						
74	Australia/EURATOM/Japan/LES Centrifuge Enrichment						
75	Canada/EURATOM/Japan/LES Centrifuge Enrichment						
76	China/Japan/LES Centrifuge Enrichment						
77	Australia/Canada/EURATOM/Japan/LES Centrifuge Enrichment						
81	Australia/Japan						
82	Canada/Japan						
83	EURATOM/Japan						
84	Australia/EURATOM/Japan						
85	Canada/EURATOM/Japan						

Code	Country Obligation
86	China/Japan
87	Australia/Canada
88	Australia/Canada/EURATOM
89	Australia/Canada/EURATOM/Japan
90	LES Centrifuge Enrichment
91	Australia/EURATOM
92	Canada/EURATOM
93	LES Centrifuge Enrichment/Australia
94	LES Centrifuge Enrichment/Canada
95	LES Centrifuge Enrichment/EURATOM
96	Australia/Russia
97	Canada/Russia
98	Australia/Canada/LES Centrifuge Enrichment
99	Canada/EURATOM/LES Centrifuge Enrichment

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## Transactional Reporting (DOE/NRC Form 741)

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## Transactional Reporting (DOE/NRC Form 741) (Continued)

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1	31	81	1238	
2	92	20	2026	97

#### **Detail Lines**

BACK REFERENCE NUMBER	LINE NO.	TYPE OF INV: CHANGE	IDENTIFICATION (ITEM/BATCH NAME)	NO. OF ITEMS	PROJECT NUMBER	MATE- RIAL TYPE	COMP/ FACILITY CODE	OWNER CODE	KEY MEAS. POINT	M	EAS. IDEN	NT.	GROSS WEIGHT	NET WEIGHT	ELEMENT WEIGHT	ELEMENT LIMIT OF ERROR	WEIGHT % ISOTOPE	ISOTOPE WEIGHT	ISOTOPE LIMIT OF ERROR
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	1			1		81	776	J							1238				
	2			1		20	776	J							2026	4.79	97		





## Material Balance Report

- DOE facility material balances (including obligations) are generated by NMMSS based on transactions
- NRC facilities report material balances (Form 742) to NMMSS.
- Section B contains reported obligation balances.





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## Material Balance Reporting (DOE/NRC Form 742 Section B)

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									Page 2
		4. TOTAL WEIGHT						NIMA	ISS – Foreian Obli



#### Material Balance Obligation Categories

Code	Country Obligation (Country Code)
85	Australia (31)
86	Canada (32)
87	EURATOM (33)
88	Japan (34)
89	People's Republic of China (35)
91	Australia/EURATOM (91)
92	Canada/EURATOM (92)
94	Australia/Japan (81)
95	Canada/Japan (82)
96	EURATOM/Japan (83)
97	Australia/EURATOM/Japan (84)

Code	Country Obligation (Country Code)
98	Canada/EURATOM/Japan (85)
99	China/Japan (86)
A1	Argentina (38)
A2	Brazil (39)
A3	Chile (40)
A4	LES Centrifuge Enrichment (90)
A5	LES Centrifuge Enrichment/Australia (93)
A6	LES Centrifuge Enrichment/Canada (94)
A7	LES Centrifuge Enrichment/EURATOM (95)
A8	Switzerland (37)
A9	Australia/Canada/EURATOM/Japan/LES Centrifuge Enrichment (77)



## Material Balance Obligation Categories (Continued)

Code	Country Obligation (Country Code)
B1	LES Centrifuge Enrichment/Japan (70)
B2	Australia/Japan/LES Centrifuge Enrichment (71)
В3	Canada/Japan/LES Centrifuge Enrichment (72)
B4	EURATOM/Japan/Les Centrifuge Enrichment (73)
В5	Australia/EURATOM/Japan/LES Centrifuge Enrichment (74)
В6	Canada/EURATOM/Japan/LES Centrifuge Enrichment (75)
В7	China/Japan/LES Centrifuge Enrichment (76)
В8	Switzerland/Canada (37)
В9	LES Centrifuge Enrichment/Australia/EURATOM (62)
C1	Russia (36)
C2	Australia/Russia (96)
C3	Canada/Russia (97)
1 ,	Technologies /

Code	Country Obligation (Country Code)										
C4	Japan/Russia (65)										
C5	EURATOM/Russia (66)										
C6	Australia/Japan/Russia (67)										
C7	Canada/Japan/Russia (68)										
C8	EURATOM/Japan/Russia (69)										
D5	United Kingdom (45)										
D6	United Kingdom/Australia (46)										
D7	United Kingdom/Canada (47)										
D8	United Kingdom/EURATOM (48)										
D9	United Kingdom/Australia/EURATOM (49)										
E1	United Kingdom/Canada/EURATOM (50)										
E2	United Kingdom/Australia/Japan (51)										



## Material Balance Obligation Categories (Continued)

Code	Country Obligation (Country Code)
Е3	United Kingdom/Canada/Japan (52)
E4	United Kingdom/EURATOM/Japan (53)
E5	United Kingdom/Japan (54)
E6	Australia/Canada/LES Centrifuge Enrichment (98)
E7	Canada/EURATOM/LES Centrifuge Enrichment (99)
E9	LES Centrifuge Enrichment/Australia/UK (56)
F1	LES Centrifuge Enrichment/Canada/UK (57)
F2	LES Centrifuge Enrichment/UK (58)
I1	Australia/Japan (87)
I2	Australia/Canada/EURATOM (88)
I3	Australia/Canada/EURATOM/Japan (89)
I4	Australia/Canada/Japan (64)



#### Material Balance Categories (Continued)

- It is important to note that there is a difference between the obligation country code used for transactions (741 forms) and the obligation country categories used for material balance (742 forms).
- The two codes often do not match up.
- Ensure you are using the correct code for each form.



#### Adjusting Obligations on DOE/NRC Form 741

- Focus on the desired net effect of the adjustment.
- Prepare the adjustment transaction that produces the desired result.
- Must adjust the obligation section of the 741 (blocks 17-21) as well as the shipper's section (block 26, columns a-r, as appropriate).
- The adjustment is affected in the obligation section by entering the original data line with a negative sign and then entering the replacement line with the desired amount showing a positive value.
- The general rules for submitting an adjustment transaction apply.
  - The other data element fields (normally completed on an adjustment transaction) must be completed for the obligation adjustment transaction.

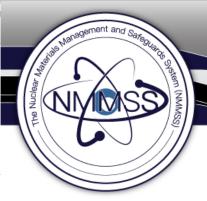


#### Adjusting Obligations on DOE/NRC Form 741 (Continued)

#### Transaction ID Correction 1

17. LINE NUMBER	18. COUNTRY OF OBLIGATION	19. MATERIAL TYPE	20. OBLIGATED ELEMENT WEIGHT	21. OBLIGATED ISOTOPE WEIGHT For Enriched Uranium Only			
1	32	81	-1000				
2	32	81	100				

BACK REFERENCE NUMBER	LINE NO.	TYPE OF INV. CHANGE	IDENTIFICATION (ITEM/BATCH NAME)	NO. OF ITEMS	PROJECT NUMBER	MATE- RIAL TYPE	COMP/ FACILITY CODE	OWNER CODE	KEY MEAS. POINT	M	EAS. IDEI k	NT.	GROSS WEIGHT	NET WEIGHT	ELEMENT WEIGHT	ELEMENT LIMIT OF ERROR	WEIGHT % ISOTOPE	ISOTOPE WEIGHT	ISOTOPE LIMIT OF ERROR
a.	b.	C.	d.	e.	f.	g.	h.	j.	j.	BASIS	OMP	METHOD	Li Li	m.	n.	0.	p.	q.	F.
001	1			-1		81									-5000				
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## **Domestic Transaction**with Obligations







On October 27, 2017, Facility XBC initiated shipment # 7 of non-DOE-owned material to Facility YON. Two separate containers were used for this shipment.

- The first container had Canadian obligated enriched uranium in misc. compounds (776) with an element wt. of 53,698g, an isotope wt. of 2,416g, and an enrichment of 4.5%.
- The second container had one item of Australian obligated enriched uranium in misc. compounds (776) with an element wt. of 17,321g, an isotope wt. of 675g, and an enrichment of 3.9%.
- The shipment had a total gross wt. of 25,660 KG.

Prepare the **shipper's** transaction report, DOE/NRC Form 741, for XBC.

Domestic
Transaction
with
Obligations





(1)

#### **Solution:**

Shipper: XBC **Transaction No: 7** Process Code: A U. S. DEPAR NO. 3150-0003 EXPIRES: 10/31/202 Receiver: YON **Correction No:** Action Code: A o comply with this mandatory collection request: 1 hour and 15 minutes. This information is required for IAE Nuclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to Infocollects.Resource@n NUCLEAR MATERIAL TRANSACTION REPORT ashington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NI YON 1 NATURE OF TRANSACTION b. RtS Oblg. Country: 31 ATTENTIO Total: 71,019; 3,091 14 TRANSEER AUTHORITY - CONTRACT NM DRAFT OR ORDER NUMBER 16 MATERIAL TYPE AND DESCRIPTION MATERIA OBLIGATED ELEMENT WEIGHT 20 17321 675 53698 10 27 23a. MISCELLANEOUS Do not obligate more than is declared in the 741 details! 53698 4.5000 2416 17321 MT: 20 Total: 71,019; 3,091 **Shipper Detail** WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECTS. 18 U.S.C. SECTION 1001 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION.

Domestic
Transaction
with
Obligations



## **Transaction Adjustment of Obligations**







On January 5, 2018, XBC determined that a correction to transaction XBC-YON-000007 A/A needs be reported to NMMSS. The October 2017 processing month is closed in the NMMSS database. You realize that the quantity of foreign obligations has been reported to NMMSS incorrectly.

Transaction
Adjustment of
Obligations

While the physical amount shipped remains the same, please complete a shipper correction DOE/NRC Form 741 to change the quantity of Canadian obligations from an element weight of 53,698g and an isotope weight of 2,416g to an element weight of 26,849g and an isotope weight of 1,208g.

All material is DOE-owned. Prepare the **shipper's** adjustment transaction report, DOE/NRC Form 741, for XBC.





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#### **Solution:**

Transaction
Adjustment of
Obligations

Shipper: XBC **Transaction No: 7** Process Code: A U. S. DEPART Receiver: YON **Correction No: 1** NO. 3150-0003 EXPIRES: 10/31/2020 IUCLEAR REG Action Code: C comply with this mandatory collection request: 1 hour and 15 minutes. This information is required for IAE nges in inventory of nuclear materials. Send comments regarding burden estimate to the Informati uclear Regulatory Commission, Washington, DC 20555-0001, or by e-mail to Infocollects.Resource@nr e of Information and Regulatory Affairs, NEOB-10202, (3150-0003). Office of Management and Budge Public Laws 83-703, 93-438, 95-9 NUCLEAR MATERIAL TRANSACTION REPORT YON 0000007 a. NAME AND ADDRE 10 NO OF DATA LINES 11 NATURE OF TRANSACTION Oblg. Country: 32 - MT: 20 Total Change: -26,849;-1,208 14. TRANSFER AUTHORITY - CONTRACT, NM DRAFT, OR ORDER NUMBER 6. MATERIAL TYPE AND DESCRIPTION 32 -53698 -2416 1208 Do not obligate more than is declared in the 741 details! LIMIT OF 776 J -53698 4.5000 -2416 20 776 J 53698 2416 个 个 个 <sup>26s.</sup> **Shipper Detail** Total Change: 0; 0 MT: 20 WARNING: FALSE STATEMENTS IN THIS CERTIFICATE MAY BE SUBJECT TO CIVIL AND/OR CRIMINAL PENALTIES. NRC REGULATIONS REQUIRE THAT SUBMISSIONS TO THE NRC BE COMPLETE AND ACCURATE IN ALL MATERIAL RESPECTS. 18 U.S.C. SECTION 1001 MAKES IT A CRIMINAL OFFENSE TO MAKE A WILLFULLY FALSE STATEMENT OR REPRESENTATION TO ANY DEPARTMENT OR AGENCY OF THE UNITED STATES AS TO ANY MATTER WITHIN ITS JURISDICTION



## **Obligation Exchange Transactions**







A U.S. facility <u>ZX1</u> will be exchanging obligations with U.S. facility <u>ZX2</u>. The following obligations will be exchanged.

Obligation Exchange Transactions

- 500,000 grams of uranium (20,000 grams of U235) obligated to Australia
- 75,000 grams of uranium (3,000 grams of U235) obligated to Canada

Complete the shipper and receiver DOE/NRC Form 741s to reflect the obligation exchange.

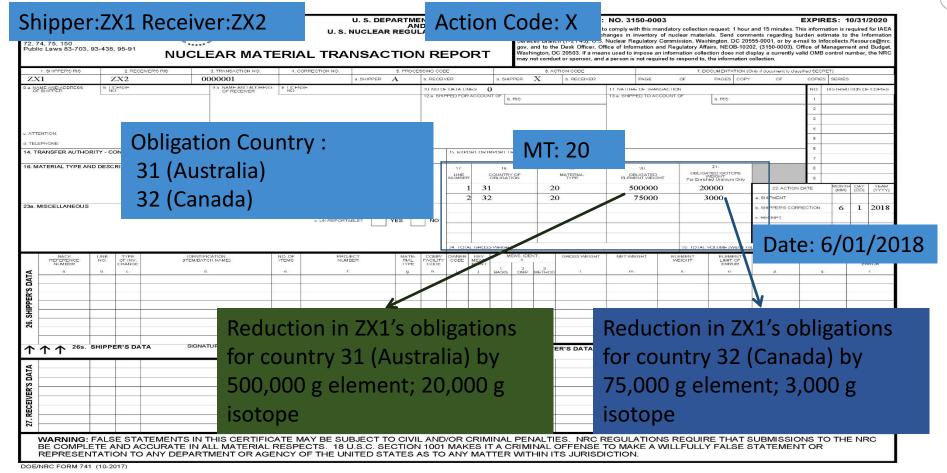






#### Solution (Shipper's Side of Exchange):

Obligation Exchange Transactions

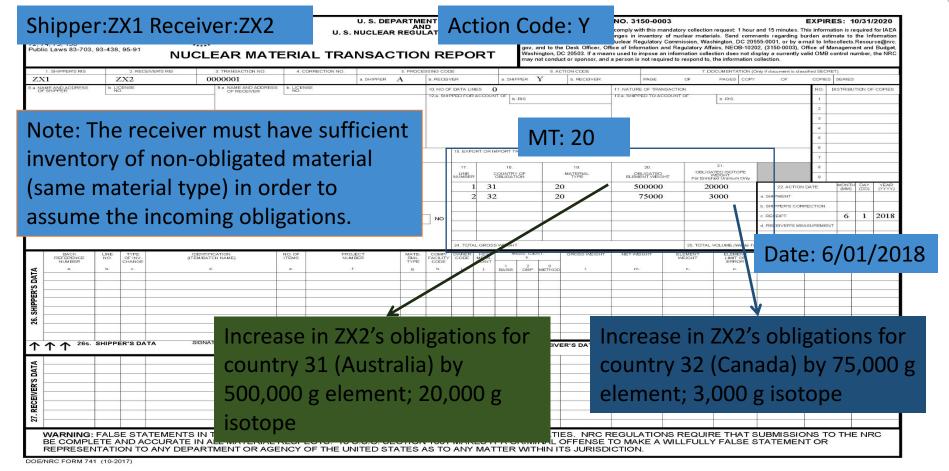






#### Solution (Receiver's Side of Exchange):

Obligation Exchange Transactions





## **Summary**

- 1 What is Foreign Obligation Reporting?
  - Describe agreements that drive foreign obligations accounting regulations.
  - Demonstrate conditions that require tracking obligations.
- 2 How to Report Foreign Obligations.
  - Obligations are reported on DOE/NRC Form 741 and DOE/NRC Form 742.
  - Review obligation material types and country codes.
  - Demonstrate the process for reporting obligations.
  - Demonstrate the process for adjusting obligations.
  - Demonstrate the process for exchanging obligations.
- 3 Case Studies
  - Demonstrate examples of preparing nuclear material transaction reporting foreign obligations.





#### Questions



