

## ITER EXPORT CONTROL AWARENESS INFORMATION (June 2012)

Commercial Vendors, Universities and others working either directly or indirectly on or for the International ITER Organization should be aware of the export control requirements associated with exporting facilities, systems, subsystems, equipment, components, materials and their associated technology (technical data). All parties must be cognizant and responsible for their own export control compliance with the United States Export Control Laws and Regulations.

The ITER Organization is comprised of seven partners (China, European Union, India, Korea, Japan, Russia, and United States). Additionally, within several of these partners are "Technical Representatives" who have affiliation with facilities/institutions of concern as defined in 15 CFR 744 Bureau of Industry and Security which have additional export, deemed export and re-export requirements when exporting to the ITER Organization directly or indirectly.

The United States ITER Project Office (USIPO) at the Oak Ridge National Laboratory has been delegated project responsibilities by the Department of Energy to manage and implement identified work elements within the ITER Fusion facility to be built in Cadarache, France as one of the seven partners contributing to the project. The USIPO is comprised of the following five Department of Energy Laboratories: Los Alamos National Laboratory, Princeton Plasma Physics Laboratory, Oak Ridge National Laboratory, Sandia National Laboratory, and Savannah River National Laboratory.

The ITER project is unique in that the export control jurisdiction for this program resides primarily with the Department of Commerce (DOC) as a result of several Commodity Classifications submitted to the DOC by the USIPO. There are a number of instances where the export control jurisdiction may reside with the Department of Energy and/or Nuclear Regulatory Commission.

It should be noted that the design information that has been released publicly/published and is in the public domain is not export controlled. Refinement in design that leads to development improvements and production know-how can be export controlled. The national laboratories have obtained export licenses for technology transfer to ITER Organization which includes the Partners and their Technical Representatives.

It is strongly recommended that you contact the Bureau of Industry and Security (BI&S) prior to initiating a transaction(s) that will involve an export, deemed export and/or a re-export to the ITER Organization or their Partners any tangible items and/or the associated development and production technology as defined in 15 CFR 730-744. The BI&S contact is Mr. Robert Little at (202-482-3073) or [RLittle@bis.doc.gov](mailto:RLittle@bis.doc.gov).

The following seven (7) pages provide ITER-specific licensing information from the U.S. Department of Commerce.



UNITED STATES DEPARTMENT OF COMMERCE  
BUREAU OF INDUSTRY AND SECURITY  
WASHINGTON, D.C. 20230

09/08/2006  
CCATS #: G051425  
PAGE NO: 1

UT-BATTELLE LLC  
ATTN: ROLF MIGUN  
OAK RIDGE NATL LAB BETHEL VALLEY\_RD  
BLDG 3546 RM 209 MS 6396  
OAK RIDGE, TN 37831

The following information is in response to your inquiry of 09/01/2006 requesting licensing information for:

Item	Export Control Classification Number and Paragraph	License Exceptions Available	Country Chart Column (reason for control)	LVS Dollar Value Limit
1) TOKAMAK DEVICE IS A MACHINE THAT ENABLES FUSION POWER PRODUCTION BY HEATING AND MAGNETIC CONFINEMENT OF A TOROIDAL HYDROGEN PLASMA WITH THE OBJECTIVE OF THE DEVELOPMENT OF ECONOMICALLY USEFUL COMMERCIAL POWER GENERATION SYSTEMS	EAR99			
2) SPECIALLY DESIGNED COMPONENTS/EQUIPMENT FOR THE TOKAMAK DEVICE, A MACHINE THAT ENABLES FUSION POWER PRODUCTION BY HEATING AND MAGNETIC CONFINEMENT OF A TOROIDAL HYDROGEN PLASMA FOR				

See the other side of this form for information on determining which countries require a license for the above items. For Shipments to these destinations, an export license is required from the Bureau of Export Administration.

Items otherwise eligible for export or reexport under a License Exception or NLR (no license required) and used in the design, development, production or use of nuclear, chemical or biological weapons or missiles require a license for export or reexport as provided in part 744 of the Export Administration Regulations (EAR).

STEVEN CLAGETT  
DIVISION DIRECTOR

FOR INFORMATION CONCERNING  
THIS CLASSIFICATION CONTACT  
DAVID FLYNN  
PHONE #: (202) 482-2096  
BIS/ONP/NM



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BUREAU OF INDUSTRY AND SECURITY  
WASHINGTON, D.C. 20230

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OAK RIDGE, TN 37831

The following information is in response to your inquiry of 09/01/2006 requesting licensing information for:

Item	Export Control Classification Number and Paragraph	License Exceptions Available	Country Chart Column (reason for control)	LVS Dollar Value Limit
COMMERCIAL POWER GENERATION SYSTEMS	EAR99			
3) TECHNOLOGY ASSOCIATED WITH TOKAMAK DEVICE AND SPECIALLY DESIGNED COMPONENTS/EQUIPMENT IN SUPPORT OF FUSION POWER FOR COMMERCIAL POWER GENERATION SYSTEMS	EAR99			
<p>COMMENTS FROM LICENSING OFFICER:</p> <p>ITEM #1: THIS CLASSIFICATION SUPERCEDES ALL PRIOR CLASSIFICATIONS. THE TOKAMAK DEVICE, SPECIALLY DESIGNED COMPONENTS, AND ASSOCIATED TECHNOLOGY IS CLASSIFIED AS EAR99. ITEMS CLASSIFIED AS EAR99 MAY REQUIRE A LICENSE IF THE EXPORTER KNOWS THEY WILL SUPPORT AN ACTIVITY DESCRIBED IN SECTION 744 OF THE EAR.</p>				

See the other side of this form for information on determining which countries require a license for the above items. For Shipments to these destinations, an export license is required from the Bureau of Export Administration.

Items otherwise eligible for export or reexport under a License Exception or NLR (no license required) and used in the design, development, production or use of nuclear, chemical or biological weapons or missiles require a license for export or reexport as provided in part 744 of the Export Administration Regulations (EAR).

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ATTN: ROLF MIGUN  
OAK RIDGE NATL LAB BETHEL VALLEY RD  
BLDG 3546 RM 209 MS 6396  
OAK RIDGE, TN 37831

The following information is in response to your inquiry of 09/01/2006 requesting licensing information for:

Item	Export Control Classification Number and Paragraph	License Exceptions Available	Country Chart Column (reason for control)	LVS Dollar Value Limit
<p>ITEM #2: THIS CLASSIFICATION SUPERCEDES ALL PRIOR CLASSIFICATIONS. THE TOKAMAK DEVICE, SPECIALLY DESIGNED COMPONENTS, AND ASSOCIATED TECHNOLOGY IS CLASSIFIED AS EAR99.</p> <p>ITEM #3: THIS CLASSIFICATION SUPERCEDES ALL PRIOR CLASSIFICATIONS. THE TOKAMAK DEVICE, SPECIALLY DESIGNED COMPONENTS, AND ASSOCIATED TECHNOLOGY ARE CLASSIFIED AS EAR99.</p>				

See the other side of this form for information on determining which countries require a license for the above items. For Shipments to these destinations, an export license is required from the Bureau of Export Administration.

Items otherwise eligible for export or reexport under a License Exception or NLR (no license required) and used in the design, development, production or use of nuclear, chemical or biological weapons or missiles require a license for export or reexport as provided in part 744 of the Export Administration Regulations (EAR).

STEVEN CLAGETT  
DIVISION DIRECTOR

FOR INFORMATION CONCERNING  
THIS CLASSIFICATION CONTACT  
DAVID FLYNN  
PHONE #: (202) 482-2096  
BIS/ONP/NM



# SNAP- R

Commodity Classification Request

Work Item Reference Number ITR1007

Status: ACCEPTED

[Print-Friendly View](#)

## Validation

### Validation Details

Title	COMMODITY CLASSIFICATION FOR CASE: G059272 (REF: ITR1007)
Type	Validation
Date of Message	10/19/2007
Reference Number	ITR1007

### Content

COMMODITY CLASSIFICATION UNITED STATES DEPARTMENT OF COMMERCE  
BUREAU OF INDUSTRY AND SECURITY  
WASHINGTON, D.C. 20230

CASE NUMBER: Z720294

UT-BATTELLE LLC OCTOBER 19, 2007  
ATTN: ROLF MIGUN CCATS #: G059272  
OAK RIDGE NATL LAB BETHEL VALLEY\_RD  
BLDG 3546 RM 209 MS 6396  
OAK RIDGE, TN 37831

THE FOLLOWING INFORMATION IS IN RESPONSE TO YOUR INQUIRY OF OCTOBER 17, 2007  
REQUESTING LICENSE INFORMATION FOR:

COMMODITY	ECCN	LVS	IVL REQUIRED FOR COUNTRY GROUPS	LVS DOLLAR LIMIT
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#### ITEM #1:

1) MTLs & EQUIPMENT ASSOC. WITH THE DEV. & PRODUCTION OF THE TOKAMAK OFF-GAS EXHAUST PROCESSING SYSTEM FOR THE ITER FUSION DEVICE TO SUPPORT THE PRODUCTION OF FUSION POWER. THIS SYSTEM RECOVERS UNSPENT DEUTERIUM-TRITIUM FUEL.	EAR99			\$0
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#### ITEM #2:

2) TECHNOLOGY ASSOCIATED WITH THE DEVELOPMENT & USE OF THE TOKAMAK OFF-GAS EXHAUST PROCESSING SYSTEM FOR THE ITER FUSION DEVICE. THIS SYSTEM RECOVERS UNSPENT DEUTERIUM-TRITIUM FUEL YIELDING A PRODUCT STREAM FOR TRANSFER TO AN ISOTOPE SEPARATIONS SYSTEM.	EAR99			\$0
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iter-export-control-inform-ext-jun12.pdf

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 COMMENTS FROM LICENSING OFFICER(S) :

ITEM #1: THIS CLASSIFICATION SUPERSEDES ALL PRIOR CLASSIFICATIONS FOR THIS EQUIPMENT.

ITEM #2: THIS CLASSIFICATION SUPERSEDES ANY PRIOR CLASSIFICATION FOR THIS HARDWARE AND TECHNOLOGY.

ITEMS OTHERWISE ELIGIBLE FOR EXPORT OR REEXPORT UNDER A LICENSE EXCEPTION OR NLR (NO LICENSE REQUIRED) AND USED IN THE DESIGN, DEVELOPMENT, PRODUCTION OR USE OF NUCLEAR, CHEMICAL OR BIOLOGICAL WEAPONS OR MISSILES REQUIRE A LICENSE FOR EXPORT OR REEXPORT AS PROVIDED IN PART 744 OF THE EXPORT ADMINISTRATION REGULATIONS (EAR)

DESTINATIONS REQUIRING A LICENSE  
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SEE THE COMMERCE COUNTRY CHART (SUPPLEMENT NO. 1 TO PART 738 OF THE EAR) TO DETERMINE WHICH COUNTRIES REQUIRE A LICENSE. USE THE COUNTRY CHART COLUMN INFORMATION GIVEN ON THIS FORM IN CONJUNCTION WITH THE COUNTRY CHART TO DETERMINE THE LICENSING REQUIREMENTS FOR YOUR PARTICULAR ITEMS. FOR ITEMS CLASSIFIED EAR99, SEE PART 746 OF THE EAR TO DETERMINE THE LICENSING REQUIREMENTS.

APPLICATIONS FOR EXPORT MUST BE SUBMITTED ON FORM BIS-748P MULTIPURPOSE APPLICATION. THESE FORMS MAY BE OBTAINED BY CALLING (202) 482-3332 OR REQUESTING DIRECTLY ON THE BIS INTERNET WEB SITE. ASSISTANCE IN FILLING OUT THE FORM, OR ANY ASPECT OF EXPORTING, IS PROVIDED BY THE EXPORT COUNSELING DIVISION IN WASHINGTON, D.C. AT (202) 482-4811 OR THE WESTERN REGIONAL OFFICE IN NEWPORT BEACH, CALIFORNIA AT (714) 660-0144.

LICENSE EXCEPTIONS  
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BE AWARE THAT THE LICENSING REQUIREMENTS FOR SOME DESTINATIONS MAY BE OVERCOME BY ANY LICENSE EXCEPTION FOR WHICH YOUR ITEMS QUALIFY. SEE PART 740 OF EAR FOR INFORMATION ON LICENSE EXCEPTIONS. THE LICENSE AVAILABLE COLUMN ON THIS FORM LISTS ONLY THOSE LICENSE EXCEPTIONS OF THE SET GBS, CIV, APP, TSR WHICH ARE APPLICABLE TO YOUR ITEMS. OTHER LICENSE EXCEPTIONS MAY APPLY, DEPENDING UPON THE CIRCUMSTANCES OF YOUR INTENDED TRANSACTION.

EXPORT CONTROL CLASSIFICATION NUMBERING SYSTEM (ECCN)  
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THE ECCN NUMBERING SYSTEM IS FOUND IN THE COMMERCE CONTROL LIST (CCL) PART 774 OF THE EAR. THE CCL IS A COMPREHENSIVE LIST THAT IDENTIFIES ALL ITEMS CONTROLLED AND LICENSED BY COMMERCE. WITHIN THE CCL, ENTRIES ARE IDENTIFIED BY AN ECCN. EACH ENTRY SPECIFIES THE LICENSE REQUIREMENTS FOR THE ITEM AND THE REASON(S) FOR CONTROL. PLEASE CONSULT PARTS 738 AND 774 OF THE EAR FOR SPECIFIC INFORMATION ON ECCNS.

SHIPPERS EXPORT DECLARATION (SED)  
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WHEN AN EXPORT IS MADE, IT IS NECESSARY FOR THE EXPORTER TO SHOW ON THE SHIPPERS EXPORT DECLARATION (FORM 7525-V) IN BLOCK 27 EITHER THE LICENSE NUMBER, THE APPLICABLE LICENSE EXCEPTION SYMBOL OR THE SYMBOL NLR. FORM 7525-V IS AVAILABLE FROM THE SUPERINTENDENT OF DOCUMENTS, U.S. GOVERNMENT PRINTING OFFICE OF WASHINGTON, D.C. 20402, AND FROM EXPORT ADMINISTRATION DISTRICT OFFICES (U.S. DEPT. OF COMMERCE).

STEVEN CLAGETT  
 DIVISION DIRECTOR

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 DAVID FLYNN  
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Work Item ITR1007 Work Item ITR1007 Acknowledgements and Validations

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**APPENDIX B  
February 2012**

**License Guidance – TECHNOLOGY ONLY**

**The intent of the License is to allow applied research among the ITER Members and their Technical Representatives for the design and procurement phase of this project.**

<u>ITER US Scope Only</u>	<u>Commodity Classification</u>	<u>Example</u>
Entire Tokamak Facility (US Scope Only)	EAR 99	First Wall Containment
Supporting facilities ITER Tokamak (US Scope Only)	EAR 99	Off Gas System
Systems for ITER Tokamak (US Scope Only)	EAR 99	Tokamak Cooling Water
Subsystems for ITER Tokamak (US Scope Only)	EAR 99	Modules (Control System)
Equipment (US Scope Only)	EAR 99?	Or Multi-lateral Regimes e.g. NSG, AG, MTCR, Wassenaar or US unilateral controls*
Components (US Scope Only)	EAR 99?	Or Multi-lateral Regimes e.g. NSG, AG, MTCR, Wassenaar or US unilateral controls*
Materials (US Scope Only)	EAR 99?	Or Multi-lateral Regimes e.g. NSG, AG, MTCR, Wassenaar or US unilateral controls*

*\*Basically the question is, "Are these items on any of the following lists (Nuclear Suppliers Group, Australian Group, Missile Tech Control Regime, Wassenaar Agreement, etc.) that would have applications other than Fusion that would warrant control by the Regimes? Additionally, are there any US unilateral controls being imposed on certain equipment, components and/or materials?"*

**ITER US Scope Not Covered under this License**

**Tangible items**, such as facilities, supporting facilities, systems, subsystems, equipment, components, materials, etc., **cannot** be exported under this license because this license is only for Technology. ITER scope that is not covered under the US scope is not covered under this license.

Examples of non-US scope include the Tritium (breeder blanket) System, Heavy Water Facility, Isotope Separations, and so-forth for both technology and tangible items. Examples of technology associated equipment, components and materials not covered under this license include nuclear pumps, radiation hardened integrated circuits (MT), etc., not specifically incorporated within a facility, supporting facility, system or/and subsystem.

**Non-ITER Scope for both Technology and Tangible Items are not Covered under this License**

Non-ITER scope involving both Technology and Tangible Items are not covered under this license. Examples of this include software (MCNP), spare parts, Heat Transfer Simulation Design Package, Source Materials, Beryllium, which are not specifically designed for the Tokamak, Systems and Subsystems.