

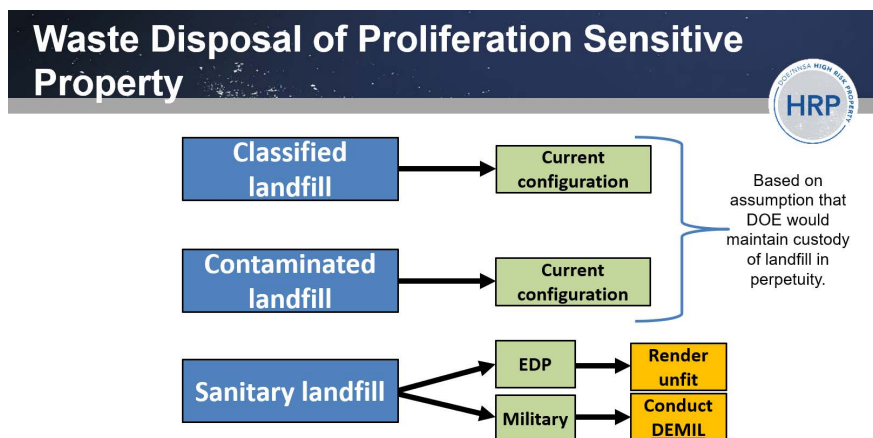
# MA-50/NA-242 Guidance: Contaminated Trigger List Equipment

## Background

DOE's Property Management regulation 41 CFR 109-1.5303(b)(5) states the following guidance regarding the disposition of Trigger List/Especially Designed or Prepared (EDP) and NAP 476.1 equipment:

Unless an alternative disposition option appears to be in the best interest of the Government, surplus Trigger List/EDP components, equipment, and materials and nuclear weapon components shall either be sold for scrap after being rendered useless for their originally intended purpose or destroyed, with the destruction verified and documented. Requests for approval of an alternative disposition may be made through the cognizant Assistant Secretary to the Director of the Office of Nonproliferation and National Security.

Previous guidance allowed contaminated Trigger List/EDP equipment to be dispositioned as waste without being **rendered unfit** for use. This policy was based on the assumption that DOE/NNSA would accept responsibility for long-term stewardship of all contaminated landfills, and thus would not constitute a property transfer (See picture below).



To date, one commonly used contaminated landfil has been identified that WILL NOT be owned or managed by DOE/NNSA upon facility closure. In this case, the State of Utah will assume responsibility for post-closure activities at the Clive Utah Landfill. Even though this facility has previously processed unaltered Trigger List/EDP equipment from DOE/NNSA sites for burial, that practice is no longer considered appropriate for proliferation sensitive Trigger List/EDP and NAP 476.1 equipment.

## Resolution

On June 21, 2022, the Office of Nuclear Export Controls (NA-242) and the Director of Asset Management (MA-50), concurred with the following guidance:

- If sites continue to use non-DOE owned or managed landfills, they shall render the Trigger List/EDP equipment unfit for use prior to shipment.
- If sites cannot or do not wish to render the Trigger List/EDP items unfit for use, they shall dispose of the commodities in DOE/NNSA-owned landfills only.

Other alternatives to the disposition of Trigger List/EDP equipment will require an Exception from Destruction (EFD) from NA-20. Those requests will likely be denied.

In short, this guidance agrees with current regulatory requirements and emphasizes the continued need for diligent property management protocols and training programs.