

Procedure: Property Management – High Risk Personal Property

Revision	0
Effective Date	03/04/19
Management System	Property and Infrastructure
Owner	Property and Infrastructure Management System Owner
Review Cycle	Every 3 years

Management of High-Risk Personal Property (HRPP) from acquisition to disposal

1. Purpose

This procedure describes Fermilab's approach to acquire, manage and control, through disposal, government-owned High-Risk Personal Property (HRPP) in a cost-effective, risk-based, efficient, and environmentally sound manner consistent with national security and nonproliferation policies of the United States.

2. Procedure

Fermilab is responsible for the proper acquisition, receipt, identification, inventory records, change of custodianship or location, consumption, utilization, excess screening and disposal of HRPP and materials. Fermilab ESH&Q Security department and the Logistics and Property Control (LPC) department each have roles in successfully meeting responsibilities. LPC and subject matter experts carry out additional screening, whenever practical, during procurement and inventory processes. These policies govern the identification, control, excess screening, disposal, and loan of proliferation sensitive personal property and materials.

2.1. Marking

- 2.1.1. All HRPP is designated and identified as High Risk/Sensitive in Fermilab's computerized asset management tracking system. This provides essential traceability through acquisition, physical inventories, transfers between custodians, and ultimate disposal.
- 2.1.2. Certain HRPP, when received, if by its nature cannot be individually marked, such as stores items, metal stock, etc., is exempt from marking requirements.
- 2.1.3. Property custodians receive guidance from FESS LPC which outlines custodians' responsibilities surrounding HRPP along with safeguard procedures. If feasible, whenever high-risk personal property is not in use it is stored in a locked repository. If the property is consumed, a log book documents the usage, date, weight information, experiment and the person issued the material.

2.1.4. To the extent practicable and economical, HRPP identification markings are removed by the custodian or FESS LPC prior to disposal. If appropriate, additional markings may be added to indicate special restrictions or conditions of use.

2.2. Inventory

2.2.1. Inventories which document all existing HRPP are conducted annually by FESS LPC with the responsible custodian.

2.2.2. The FESS LPC Manager, Property and Infrastructure Management System Owner and Fermilab ESH&Q Security department work with the DOE Site Office to handle any loss of HRPP.

2.3. Pre-Disposal Processing

2.3.1. HRPP is disposed of using methods to ensure that it does not adversely affect the national security or nuclear nonproliferation objectives of the United States.

2.3.2. Custodians are responsible for initiating disposal of HRPP assigned to them. Appropriate documentation, if available, is provided by the custodian prior to sending HRPP to the Fermilab Property Office for excess, disposal, contract termination, loan, or other off-site transfer.

2.3.3. Any export control reviews of nuclear-related, dual-use, or other proliferation-sensitive equipment, materials or information, involve FESS LPC and subject matter experts.

2.3.4. Export control determinations/clearances clearly delineate conditions, restrictions, or other requirements to be placed in agreements for the transfer of dual-use, or other proliferation-sensitive personal property. Consultation with FESS LPC or the vendor may be required.

2.3.5. Proliferation-sensitive personal property, when possible and to the extent practicable, is stripped of all characteristics which cause it to be proliferation-sensitive after the asset is listed on the GSAXcess system and made available to other DOE contractors. FESS LPC works with custodians or subject matter experts to certify that appropriate measures have been taken, if required.

2.3.6. The disposition (including demilitarization of items on the Munitions List) of trigger list property are subject to applicable provisions of 41 CFR 109-42.1102-8 and DOE Guidelines on Export Control and Nuclear Nonproliferation. Demilitarization requirements regarding combat material and military personal property follow guidance contained in DoD 4160.21-M-1.

2.4. Scrap Sales

2.4.1. When assets are stripped of all the characteristics which caused it to be proliferation-sensitive, FESS LPC can dispose of the asset appropriately.

2.4.2. When assets are not been stripped of these characteristics, then FESS LPC makes necessary arrangements with a vendor to witness the destruction of the asset.

2.5. Other Disposal Actions

2.5.1. The following Export Restriction Notice, or approved equivalent notice, shall be included in all transfers, sales, or other offerings:

Export Restriction Notice

The use, disposition, export and re-export of this property are subject to all applicable U.S. laws and regulations, including the Atomic Energy Act of 1954, as amended; the Arms Export Control Act (22 U.S.C. 2751 et seq.); the Export Administration Act of 1979 as continued under the International Emergency Economic Powers Act (Title II of Pub. L. 95-223, 91 Stat. 1626, October 28, 1977); Trading with the Enemy Act (50 U.S.C. 4305) as amended by the Foreign Assistance Act of 1961); Assistance to Foreign Atomic Energy Activities (10 CFR part 810); Export and Import of Nuclear Equipment and Material (10 CFR part 110); International Traffic in Arms Regulations (22 CFR parts 120 et seq.); Export Administration Regulations (15 CFR part 730 et seq.); and the Espionage Act (37 U.S.C. 791 et seq.) which among other things, prohibit:

- 2.5.1.1. the making of false statements and concealment of any material information regarding the use or disposition, export or re-export of the property; and
- 2.5.1.2. any use or disposition, export or re-export of the property that is not authorized in accordance with the provisions of this agreement.

2.5.2. All disposal actions include a high-risk review, export control review, and hazardous review.

2.5.3. All disposal action documentation is reviewed by the Logistics and Property Control Manager or Assistant Logistics and Property Control Manager prior to disposal.

3. Definitions

High Risk Personal Property (HRPP) refers to assets that, because of their potential impact to public health and safety, the environment, national security interests, or proliferation concerns, must be controlled, and disposed of in a manner other than routine. The categories of high-risk property are automatic data processing equipment, especially designed or prepared property, export-controlled information, export controlled property, hazardous property, nuclear weapon components or weapon-like components, proliferation sensitive property, radioactive property, special nuclear material and unclassified controlled information. Fermilab Office of CIO department manages export-controlled information and unclassified controlled information. Refer to Fermilab Computing Division Computing at Work. Fermilab ESH&Q department manages hazardous property, special nuclear material and radioactive property. For hazardous property refer to Fermilab FESHM 8021, Chemical and Radioactive Waste Management. For special nuclear material refer to ESHQS-MCA01 Fermilab Nuclear Materials Control & Accountability Plan. For radioactive property refer to Fermilab ESH&Q refer to Fermilab Radiological Control Manual (FRCM). Export-controlled information and property that is classified as EAR99 or controlled only for Anti-Terrorism (AT) reasons under the Export Administration Regulations is excluded from this document's definition of HRPP.

4. Responsibilities

- 4.1. The Property and Infrastructure Management System Owner** approves this procedure, identifying necessary resources and overseeing consistent laboratory compliance.
- 4.2. The FESS-Logistics and Property Control Department Head** implements and manages changes to this procedure by assigning appropriate resources.
- 4.3. Custodians, ESH&Q Security Department and FESS LPC staff** are responsible for following guidance for the lifecycle of high-risk personal property from acquisition to disposal.

5. Resources / Supporting Documents

FNAL website: Sunflower Asset Management System (commercial off-the-shelf software package)

6. Revision History

Version Number	Date	Author	Change Summary
0	03/04/19	Jack Kelly	First Issuance

7. Approvals

Title	Name	Electronic Signature
FESS Logistics and Property Control Head	Jack Kelly	Jack Kelly, UID:jkelly <small>Digitally signed by Jack Kelly, UID:jkelly Date: 2019.03.05 09:29:50 -06'00'</small>
Property and Infrastructure Management System Owner	Karen Kosky	Karen Kosky, UID:kkosky <small>Digitally signed by Karen Kosky, UID:kkosky Date: 2019.04.03 11:23:08 -05'00'</small>