

No. 16229

**UNITED STATES OF AMERICA
and
FRANCE**

Arrangement between the Atomic Energy Commission (U.S.A.E.C.) and the Ministère de l'industrie et de la recherche (M.I.R.) for exchange of technical information in regulatory matters and co-operation in development of safety standards. Signed at Paris on 28 June 1974

Authentic texts: English and French.

Registered by the United States of America on 27 January 1978.

**ÉTATS-UNIS D'AMÉRIQUE
et
FRANCE**

Accord entre la Commission pour l'énergie atomique (U.S.A.E.C.) et le Ministère de l'industrie et de la recherche (M.I.R.) pour l'échange d'informations techniques en matière de réglementation et la coopération dans l'élaboration des règles de sûreté. Signé à Paris le 28 juin 1974

Textes authentiques : anglais et français.

Enregistré par les États-Unis d'Amérique le 27 janvier 1978.

ARRANGEMENT¹ BETWEEN THE ATOMIC ENERGY COMMISSION (U.S.A.E.C.) AND THE MINISTÈRE DE L'INDUSTRIE ET DE LA RECHERCHE (M.I.R.)² FOR EXCHANGE OF TECHNICAL INFORMATION IN REGULATORY MATTERS AND COOPERATION IN DEVELOPMENT OF SAFETY STANDARDS

The United States Atomic Energy Commission (U.S.A.E.C.) and the Ministère de l'industrie et de la recherche (M.I.R.), considering the desirability of a continuing exchange of information pertaining to regulatory matters and collaboration in standards of the type required or recommended by A.E.C. Regulation for the regulation of safety and environmental impact of nuclear facilities, conclude the following cooperation Agreement:

I. SCOPE OF THE AGREEMENT

I.1. *Technical information exchange*

The U.S.A.E.C. and the M.I.R. agree to exchange the following types of technical information related to the regulation of safety and environmental impact of designated nuclear energy facilities:

- a. topical reports concerned with technical safety and environmental effects written by or for the regulatory staff as a basis for, or in support of, regulatory decisions and policies;
- b. significant licensing actions and safety and environmental decisions affecting these facilities;
- c. detailed documents on the U.S.A.E.C. regulatory process of certain U.S. facilities designated by the M.I.R. as the prototypes of certain facilities being built in France and reciprocal documents on these French counterpart facilities;
- d. reports on operating experience, such as reports on incidents, accidents and shut-downs, and compilations of origin ("pedigree") and historical reliability data, on components and systems;
- e. regulatory procedures for safety and environmental impact evaluation of these nuclear facilities.

I.2. *Collaboration in development of regulatory standards*

The U.S.A.E.C. and the M.I.R. further agree to cooperate in the development of regulatory standards for these nuclear facilities:

a. Each side will inform the other of specific subjects on which regulatory standards development work is underway, or is planned, and approximate schedules for moving work forward on those subjects.

b. As is practicable, agreement will be reached from time to time on the standards for which each side will take the lead in developing, in order to avoid unnecessary duplication of effort. These would normally relate to standards that could serve both countries.

¹ Came into force on 28 June 1974 by signature, in accordance with its provisions.

² Ministry of Industry and Research.

c. Copies of regulatory standards required to be used, or proposed for use, by the regulatory organizations of the respective countries will be made available by each Party on a timely basis.

II. ADMINISTRATION

a. The exchange of information under this arrangement will be accomplished through letters, reports, and other documents, and by visits and meetings arranged in advance on a case-by-case basis. A meeting will be held annually, or at such other times as mutually agreed, to review the exchange activity, to recommend revisions, and to discuss topics coming within the scope of the exchange. The time, place, and agenda for such meetings shall be agreed upon in advance. Visits which take place under the arrangement, including their schedules, shall have the prior approval of the administrators.

b. An administrator will be designated by each Party to coordinate its participation in the overall exchange. The administrators shall be the recipients of all documents transmitted under the exchange, including copies of all letters unless otherwise agreed. Within the terms of the exchange, the administrators shall be responsible for developing the scope of the exchange, including agreement on the designation of the nuclear energy facilities subject to the exchange, on specific documents and standards to be exchanged, and on standards work to be coordinated — it being understood that reports and standards development which are outside the aegis of the U.S.A.E.C. Regulatory program are not included in this Agreement.

These detailed arrangements are intended to assure, among other things, that a reasonably balanced exchange giving access to equivalent available information is achieved and maintained.

c. Once each three months, each of the administrators will send a letter to his counterpart listing the titles of all the documents that have been transmitted under this exchange program during the preceding three months.

d. The administrators shall determine the number of copies to be provided of the documents exchanged. Each document will be accompanied by an abstract, less than 250 words, describing its scope and content.

e. In general, information received by each Party to the Agreement may be disseminated freely without further permission of the other Party.

Privileged information, including information supplied by the sending Party in confidence and on condition that the receiving Party protect the information from unauthorized disclosure, will be identified by the sending Party and stamped conspicuously with the words “NOT FOR DISSEMINATION WITHOUT APPROVAL BY THE U.S.A.E.C. (or the M.I.R.)”. The receiving Party will refrain from disseminating, without approval of the sending Party, such privileged information:

- i. on the U.S. side, outside the U.S.A.E.C. and consultants and assisting agencies of the Federal Government;
- ii. on the French side, outside the French concerned authorities of the M.I.R. and their consultants and assisting agencies, among them in particular the C.E.A. (Department of Nuclear Safety).

Parties to the Agreement will cooperate with each other in developing procedures for requesting such approval, if needed, and by responding, as far as their own regulation makes it possible, to the request from the receiving Party for dissemination.

If, nevertheless, dissemination, without approval from the sending Party, is requested from the receiving Party in pursuance of its own national law, the receiving Party undertakes to inform at once the sending Party and, if necessary, to put before competent authority appropriate arguments for nondissemination.

f. This Agreement shall have a term of five years and may be further extended by mutual written agreement. It may be terminated by either Party upon thirty-day notice.

g. The application or use of any information exchanged or transferred between the Parties under this arrangement shall be the responsibility of the Party receiving it, and the transmitting Party does not warrant the suitability of such information for any particular use or application.

DONE at Paris on June 28th, 1974, in two originals, one in the French language, and one in the English language, both texts being equally authentic.

This arrangement is effective on the date of signature.

For the Atomic Energy
Commission:

[Signed]

WILLIAM O. DOUB
Commissioner

Pour le Ministre
de l'industrie et de la recherche
et par Délégation:¹

[Signed]

J. SERVANT
Le Chef du Service central
de sûreté des installations nucléaires²

¹ For the Minister of Industry and Research and by delegation of authority.

² Chief, Office of Central Security for Nuclear Installations.