

No. 16226

**UNITED STATES OF AMERICA
and
JAPAN**

Technical Exchange Arrangement between the United States Atomic Energy Commission, the Japan Atomic Energy Bureau, and the Agency of Natural Resources and Energy in the field of regulatory matters. Signed at Tokyo on 18 May 1974 and at Washington on 30 May 1974

Authentic text: English.

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

**ÉTATS-UNIS D'AMÉRIQUE
et
JAPON**

Arrangement entre la Commission de l'énergie atomique des États-Unis, le Bureau de l'énergie atomique du Japon et l'Office des ressources naturelles et de l'énergie, relatif à l'échange de renseignements techniques en matière de réglementation. Signé à Tokyo le 18 mai 1974 et à Washington le 30 mai 1974

Texte authentique : anglais.

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

TECHNICAL EXCHANGE ARRANGEMENT¹ BETWEEN THE UNITED STATES ATOMIC ENERGY COMMISSION, THE JAPAN ATOMIC ENERGY BUREAU, AND THE AGENCY OF NATURAL RESOURCES AND ENERGY IN THE FIELD OF REGULATORY MATTERS

The United States Atomic Energy Commission (AEC), the Japan Atomic Energy Bureau (JAEB) and the Agency of Natural Resources and Energy (ANRE), considering the desirability of a continuing exchange of information pertaining to regulatory matters and collaboration in standards required or recommended by both countries for the regulation of safety and environmental impact of nuclear facilities, conclude the following cooperation Agreement:

1. *Technical information exchange.* The USAEC, JAEB and ANRE agree to exchange the following types of technical information related to the regulation of safety and environmental impact of designated nuclear energy facilities in their respective countries:

- a. topical reports concerned with technical safety and environmental effects written by or for the regulatory staff of each Party as a basis for, or in support of regulatory decisions and policies;
- b. significant licensing actions and safety and environmental decisions of the Parties affecting these facilities;
- c. detailed documents on the USAEC regulatory process of certain U.S. facilities designated by the JAEB and ANRE as the prototypes of certain facilities being built in Japan, and reciprocal documents on these Japanese counterpart facilities;
- d. reports on operating experience of nuclear facilities located in the territory of each Party, such as reports on incidents, accidents and shutdowns, and compilations of origin ("pedigree") and historical reliability data, on components and systems;
- e. statements of the regulatory procedures for safety and environmental impact evaluation of these nuclear facilities.

2. *Safety and environmental decisions.* The USAEC, JAEB and ANRE agree to inform each other promptly of licensing actions and safety and environmental decisions taken by either Party which could affect the construction and/or operation of nuclear facilities in the respective countries.

3. *Collaboration in development of regulatory standards.* The USAEC, JAEB and ANRE further agree to cooperate in the development of regulatory standards for these nuclear facilities, as follows:

a. Each side will inform the other of specific subjects on which regulatory standards development work is underway, or that 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 un-

¹ Came into force on 30 May 1974 by signature.

necessary duplication of effort. These would normally relate to standards that could serve both countries.

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 to the other Party on a timely basis.

4. *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.

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. 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, will be developed by the designated administrators.

These detailed arrangements will be developed to assure, among other things, that a reasonably balanced and equitable exchange of 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. Visits which take place under this arrangement, including their schedules, shall have the prior approval of the administrators.

e. The administrators shall determine the number of copies to be provided of the documents exchanged. Each document written in Japanese will be accompanied by an abstract in English of about 250 words, describing its scope and content.

f. In general, information received by each Party within 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 USAEC, JAEB OR ANRE." Unless required by its national law, the receiving Party will refrain from disseminating, without approval of the sending party, such information:

- i. on the U.S. side, outside the USAEC and consultants and assisting agencies of the Federal Government;
- ii. on the Japanese side, outside the JAEC, the JAEB, the ANRE and assisting agencies of the Japanese Government and their consultants.

Parties within the Agreement will cooperate with each other in developing procedures for requesting such approval, and in responding to requests for information concerning reasons for nondissemination as needed to comply with national law.

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.

h. 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.

For the United States
Atomic Energy Commission:

By: [Signed — Signé]¹
Title: Director of Regulation
Date: May 30, 1974

For the Japan
Atomic Energy Bureau:

By: [Signed — Signé]²
Title: Deputy Director
Date: May 18, 1974

For the Agency
of Natural Resources and Energy:

By: [Signed — Signé]³
Title: Councillor
Director General Secretariat
Date: May 18, 1974

¹ Signed by L. Manning Muntzing — Signé par L. Manning Muntzing.

² Signed by Y. Ihara — Signé par Y. Ihara.

³ Signed by Tsutomu Inouye — Signé par Tsutomu Inouye.