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**UNITED STATES OF AMERICA
and
JAPAN**

**Exchange of notes constituting an agreement relating to the
reprocessing of special nuclear material. Washington,
23 and 25 July 1980**

Authentic text: English.

Registered by the United States of America on 30 September 1981.

**ÉTATS-UNIS D'AMÉRIQUE
et
JAPON**

**Échange de notes constituant un accord au sujet du
retraitement de matières nucléaires spéciales. Washing-
ton, 23 et 25 juillet 1980**

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 30 septembre 1981.

EXCHANGE OF NOTES CONSTITUTING AN AGREEMENT¹ BETWEEN THE UNITED STATES OF AMERICA AND JAPAN RELATING TO THE REPROCESSING OF SPECIAL NUCLEAR MATERIAL

I

EMBASSY OF JAPAN
WASHINGTON

July 23, 1980

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The Embassy of Japan presents its compliments to the Department of State and with reference to the Joint Communiqué issued on September 12, 1977 (hereinafter referred to as "the Joint Communiqué"), the Joint Determination of September 12, 1977, for Reprocessing of Special Nuclear Material of United States Origin² (hereinafter referred to as "the Joint Determination"), and the exchange of Notes Verbales of October 1, 1979,³ which confirmed the extension of the initial period of operation of the Tokai Reprocessing Facility (hereinafter referred to as "the Facility") until April 30, 1980; and has the honor to inform the latter as follows:

1. In view of the fact that the Facility has not completed the reprocessing of the 99 tonnes of United States origin fuel enabled by the Joint Communiqué and the Joint Determination, and because of the desirability of additional experiments on co-processing in the Operational Test Laboratory at the Facility and additional safeguard development work as well as adequate assimilation of the results of the International Nuclear Fuel Cycle Evaluation (INFCE) before determining the mode of operation of the Facility after the initial period of operation as referred to in the Joint Communiqué, the Government of Japan considers it appropriate that the said initial period be further extended until April 30, 1981.

2. The Government of Japan reaffirms that the actions of the two countries in the extended period mentioned in paragraph 1 above should be guided by the understandings, principles, and intentions set out in the Joint Communiqué and based on the Joint Determination, with the following modifications: The Government of Japan considers that, in view of the need for mixed oxide fuel for Japan's research and development work on fast breeders and other advanced reactors, the construction of the plutonium conversion facility scheduled to be attached to the Facility need no longer be deferred as called for in paragraph III 2 of the Joint Communiqué. The plutonium conversion facility will be developed in a co-conversion mode using the highest practicable uranium to plutonium ratio in light of the requirements of Japan's fast breeder and advanced reactor research and development programs. The Government of Japan further confirms

¹ Came into force on 25 July 1980 by the exchange of the said notes.

² United Nations, *Treaty Series*, vol. 1084, p. 51.

³ *Ibid.*, vol. 1234, p. 267.

that the plutonium obtained from the 99 tonnes of United States origin fuel covered by the Joint Determination, will be used exclusively for Japan's fast breeder and advanced reactor research and development programs.

3. The Government of Japan reaffirms the importance attached to effective International Atomic Energy Agency (IAEA) safeguards at the Facility, as expressed in paragraph III 6 of the Joint Communiqué, and confirms the following: (i) the Government of Japan will continue to support improvements in safeguards effectiveness through the testing of advanced safeguards instrumentation and techniques, begun under the Tokai Advanced Safeguards Technology Exercise (TASTEX) program; (ii) the Government of Japan will cooperate with the IAEA in incorporating into the existing safeguards procedures, during the extended period mentioned in paragraph 1 above, those elements of the TASTEX program as they are identified by the IAEA for improving the effectiveness of safeguards at the Facility as well as other elements necessary for effective safeguards procedures, and (iii) the Government of Japan will cooperate with the IAEA at an early stage in facilitating the application of safeguards at the conversion facility to be constructed mentioned in paragraph 2 above.

The Embassy of Japan avails itself of this opportunity to renew to the Department of State the assurances of its highest consideration.

II

The Secretary of State presents his compliments to His Excellency the Ambassador of Japan and has the honor to refer to the joint communiqué issued on September 12, 1977 (hereinafter referred to as "the Joint Communiqué"); the joint determination of September 12, 1977, for reprocessing of special nuclear material of United States origin (hereinafter referred to as "the Joint Determination"); and the exchange of notes verbales of October 1, 1979, which confirmed the extension of the initial period of operation of the Tokai reprocessing facility (hereinafter referred to as "the facility") until April 30, 1980; and wishes to inform the latter as follows:

1. In view of the fact that the facility has not completed the reprocessing of the 99 tonnes of United States origin fuel enabled by the Joint Communiqué and the Joint Determination, and, because of the desirability of additional experiments on co-processing in the operational test laboratory at the facility and additional safeguards development work as well as adequate assimilation of the results of the international nuclear fuel cycle evaluation (INFCE) before determining the mode of operation of the facility after the initial period of operation as referred to in the Joint Communiqué, the Government of the United States of America considers it appropriate that the said initial period be further extended until April 30, 1981.

2. The Government of the United States of America reaffirms that the actions of the two countries in the extended period mentioned in paragraph 1 above should be guided by the understandings, principles, and intentions set out in the Joint Communiqué and based on the Joint Determination, with the following modifications: the Government of the United States of America understands that in view of the need for mixed oxide fuel for Japan's research and development work on fast breeders and other advanced reactors, the construction of the plutonium conversion facility scheduled to be attached to the facility need

no longer be deferred as called for in paragraph III 2 of the Joint Communiqué and, that this plutonium conversion facility will be developed in a co-conversion mode using the highest practicable uranium to plutonium ratio in light of the requirements of Japan's fast breeder and advanced reactor research and development programs. The Government of the United States further understands that the plutonium obtained from the 99 tonnes of United States origin fuel covered by the Joint Determination will be used exclusively for Japan's fast breeder and advanced reactor research and development program.

3. The Government of the United States of America reaffirms the importance attached to effective International Atomic Energy Agency (IAEA) safeguards at the facility, as expressed in paragraph III 6 of the Joint Communiqué, and understands that: (I) the Government of Japan will continue to support improvements in safeguards instrumentation and techniques, begun under the Tokai Advanced Safeguards Technology Exercise (TASTEX) program; (II) the Government of Japan will cooperate with the IAEA in incorporating into the existing safeguards procedures, during the extended period mentioned in paragraph 1 above, those elements of the TASTEX program, as they are identified by the IAEA, for improving the effectiveness of safeguards at the facility as well as other elements necessary for effective safeguards procedures; and (III) the Government of Japan will cooperate with the IAEA at an early stage in facilitating the application of safeguards at the conversion facility to be constructed mentioned in paragraph 2 above.

Washington, July 25, 1980

Department of State