

No. 30575

**UNITED STATES OF AMERICA
and
NETHERLANDS**

Arrangement for the exchange of technical information and cooperation in regulatory and safety research matters (with appendices and patent addendum). Signed at The Hague on 15 September 1982

Authentic text: English.

Registered by the United States of America on 2 December 1993.

**ÉTATS-UNIS D'AMÉRIQUE
et
PAYS-BAS**

Arrangement relatif à l'échange de renseignements techniques et à la coopération dans les domaines de la réglementation et de la recherche en matière de sûreté (avec appendices et additif relatif aux brevets). Signé à La Haye le 15 septembre 1982

Texte authentique : anglais.

Enregistré par les États-Unis d'Amérique le 2 décembre 1993.

ARRANGEMENT¹ BETWEEN THE UNITED STATES NUCLEAR REGULATORY COMMISSION (U.S.N.R.C.) AND THE NETHERLANDS MINISTER FOR SOCIAL AFFAIRS AND EMPLOYMENT (N.M.S.A.E.) FOR THE EXCHANGE OF TECHNICAL INFORMATION AND COOPERATION IN REGULATORY AND SAFETY RESEARCH MATTERS

The United States Nuclear Regulatory Commission (hereinafter called the U.S.N.R.C.) and the Netherlands Minister for Social Affairs and Employment (hereinafter called the N.M.S.A.E.);

Having a mutual interest in a continuing exchange of information pertaining to regulatory matters and of standards required or recommended by their organizations for the regulation of safety and environmental impact of nuclear facilities;

Having similarly cooperated under the terms of a five-year Arrangement for the exchange of technical information and cooperation in safety research, originally signed on October 3, 1977,² such Arrangement including provision for its extension as mutually agreed upon by the parties;

Having indicated their mutual desire to continue the cooperation established under the aforementioned Arrangement, and in further implementation of the Agreement Between the United States of America and the European Atomic Energy Commission in Cooperation for Peaceful Applications of Atomic Energy;³

Have agreed as follows:

I. SCOPE OF THE ARRANGEMENT

I.1 Designation of Responsibilities

As regards the N.M.S.A.E., this Arrangement only concerns the nuclear regulatory activities under the Minister's jurisdiction.

¹ Came into force on 15 September 1982 by signature, in accordance with section IV (a).

² United Nations, *Treaty Series*, vol. 1124, p. 3.

³ *Ibid.*, vol. 335, p. 161.

I.2 Technical Information Exchange

To the extent that the U.S.N.R.C. and the N.M.S.A.E. are permitted to do so under the laws, regulations, and policy directives of their respective countries, the parties agree to continue the exchange of the following types of technical information relating to the regulation of safety and environmental impact of designated nuclear facilities:

- a. Topical reports concerning safety and environmental effects written by or for one of the parties as a basis for, or in support of, regulatory decisions and policies.
- b. Documents relating to significant licensing actions and safety and environmental decisions affecting nuclear facilities.
- c. Detailed documents describing the U.S.N.R.C. process for licensing and regulating certain U.S. facilities designated by the N.M.S.A.E. as similar to certain facilities being built or planned in the Netherlands and equivalent documents on such Dutch facilities.
- d. Information in the field of reactor safety research, either in the possession of one of the parties or available to it, including light water safety information from the technical areas described in Appendices "A" and "B". Each party will transmit immediately to the other information concerning research results, indicating significant safety implications.
- e. Reports on operating experience, such as reports on nuclear incidents, accidents and shutdowns, and compilations of historical reliability data on components and systems.
- f. Regulatory procedures for the safety and environmental impact evaluation of nuclear facilities.
- g. Early advice of important events such as serious operating incidents and government-directed reactor shutdowns, or on particular questions relating to reactor safety, that are of immediate interest to the parties.
- h. Copies of regulatory standards required to be used, or proposed for use, by the regulatory organizations of the parties.

I.3 Cooperation in Safety Research

The execution of joint programs and projects of safety research and development, or those programs and projects under which activities are divided between the two parties including the use of test facilities and/or computer programs owned by either party, will be agreed upon on a case-by-case basis and be the subject of a separate agreement implemented by the appropriate research organizations of the parties.

I.4 Personnel Exchanges

Temporary assignments of personnel by one party in the other party's agency will be considered on a case-by-case 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 and cooperation under this Arrangement, to recommend revisions, and to discuss topics coming within the scope of the cooperation. 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 two administrators appointed by the parties.
- 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, and on specific documents and standards to be exchanged. One or more technical coordinators may be appointed as direct contacts for

specific disciplinary areas. These technical coordinators will assure that both administrators receive copies of all transmittals. 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. The administrators shall determine the number of copies to be provided of the documents exchanged. Each document will be accompanied by an abstract in English, 250 words or less, describing its scope and content.
- d. The application or use of any information exchanged or transferred between the parties under this Arrangement shall be the responsibility of the receiving party, and the transmitting party does not warrant the suitability of such information for any particular use or application.
- e. Recognizing that some information of the type covered in this Arrangement is not available within the agencies which are parties to this Arrangement, but is available from other agencies of the governments of the parties, each party will assist the other to the maximum extent possible by organizing visits and directing inquiries concerning such information to appropriate agencies of the government concerned. The foregoing shall not constitute a commitment of other agencies to furnish such information or to receive such visitors.
- f. Nothing contained in this Arrangement shall require either party to take any action which would be inconsistent with its existing laws, regulations, and policy directives. No nuclear information related to proliferation-sensitive technologies will be exchanged under this Arrangement. Should any conflict arise between the terms of this Arrangement and those laws, regulations, and policy directives, the parties agree to consult before any action is taken.
- g. Information exchanged under this Arrangement shall be subject to the patent provisions in the Patent Addendum of this document.