

No. 50343

**United States of America
and
Mexico**

Arrangement for the exchange of technical information and cooperation in nuclear safety and research matters between the Nuclear Regulatory Commission of the United States of America (U.S.N.R.C) and the Comisión Nacional de Seguridad Nuclear y Salvaguardias of the United Mexican States (C.N.S.N.S) (with addenda). Mexico City, 5 March 1997

Entry into force: *5 March 1997 by signature, in accordance with article V*

Authentic texts: *English and Spanish*

Registration with the Secretariat of the United Nations: *United States of America, 29 January 2013*

**États-Unis d'Amérique
et
Mexique**

Arrangement relatif à l'échange de renseignements techniques et à la coopération en matière de sûreté et de recherche nucléaires entre la Commission de la réglementation nucléaire des États-Unis d'Amérique et la Commission nationale pour la sûreté nucléaire et les garanties des États-Unis du Mexique (avec annexes). Mexico, 5 mars 1997

Entrée en vigueur : *5 mars 1997 par signature, conformément à l'article V*

Textes authentiques : *anglais et espagnol*

Enregistrement auprès du Secrétariat de l'Organisation des Nations Unies : *États-Unis d'Amérique, 29 janvier 2013*

[ENGLISH TEXT – TEXTE ANGLAIS]

**ARRANGEMENT
FOR THE EXCHANGE OF TECHNICAL INFORMATION AND
COOPERATION IN NUCLEAR SAFETY AND RESEARCH MATTERS
BETWEEN
THE NUCLEAR REGULATORY COMMISSION
OF THE UNITED STATES OF AMERICA
(U.S.N.R.C.)
AND
THE COMISION NACIONAL DE SEGURIDAD NUCLEAR Y
SALVAGUARDIAS
OF THE UNITED MEXICAN STATES
(C.N.S.N.S.)**

The Nuclear Regulatory Commission of the United States of America (U.S.N.R.C.) and the Comision Nacional de Seguridad Nuclear y Salvaguardias (C.N.S.N.S.), an independent administrative organization of the Secretary of Energy of the United Mexican States, hereinafter called the parties;

Aware of the importance of a continuing exchange of information pertaining to regulatory matters and of standards required or recommended by their organizations for the regulation of safety and radiological environmental impact of nuclear facilities;

Having similarly cooperated under an Arrangement effected by an exchange of letters of July 30 and October 15, 1980 with implementing procedures for The Exchange of Technical Information and Cooperation in Nuclear Safety Matters signed on April 8, 1981;

Recognizing the benefit of their cooperative effort and having replaced their initial implementing procedures by other implementing procedures signed on September 8 and October 6, 1989;

Taking into consideration the provisions of the Science and Technology Agreement for Cooperation Between the United States and Mexico, signed June 15, 1972 and modified by an Exchange of Diplomatic Notes on August 10 and September 22, 1994;

Have agreed as follows.

ARTICLE I OBJECTIVE

The objective of this Arrangement is to exchange technical information between the parties related to the regulation of safety and radiological environmental impact of designated nuclear facilities and to the program of nuclear safety research to the extent that the parties are permitted to do so under the laws, regulations, and policy directives of their respective countries.

ARTICLE II AREAS AND FORMS OF COOPERATION

In order to meet the objective referred to in Article I, the parties intend to undertake cooperative activities in the areas indicated below:

II.1 Technical Information Exchange

- a. Topical reports concerning technical safety and radiological 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 radiological environmental decisions affecting nuclear facilities.
- c. Information relating to designated facilities in the U.S. and Mexico, such as plant safety analysis reports of such facilities, radiological environmental impact evaluations, preliminary proposals, approved emergency procedures, and other important licensing documents.
- d. Detailed documents describing the U.S.N.R.C. process for licensing and regulating certain U.S. facilities designated by the C.N.S.N.S. as similar to the Laguna Verde Nuclear Power Plant (P.N.L.V.) and facilities of this type being operated, built or planned in Mexico and equivalent documents on such Mexican facilities.
- e. Information in the field of reactor safety research, either in the possession of one of the parties or available to it, including light water reactor safety information from the technical areas described in Addenda "A" and "B," attached hereto and made a part hereof. Exchanges in the field of reactor safety research may require a separate agreement, as determined to be necessary by the research organizations of one or both of the parties. Each party will

transmit immediately to the other information concerning research results that requires early attention in the interest of public safety, along with an indication of significant implications. Also, although neither party commits to full disclosure of all information pertaining to reactors of non-U.S. origin, each party undertakes to advise the other of any known problems which might affect the safety of U.S. or Mexican reactors, regardless of the source of this information.

- f. Reports on operating experience, such as reports on nuclear incidents, accidents and shutdowns; compilations of historical reliability data on components and systems; and notices of effluent releases that could have transboundary effects.
- g. Regulatory procedures for the safety, safeguards (materials accountancy and control and physical protection), waste management, and radiological environmental impact evaluation of nuclear facilities.
- h. Early notification of important events, such as serious operating incidents and government-directed reactor shutdowns, that are of immediate interest to the parties.
- i. Non-sensitive information concerning waste management and storage, but specifically excluding reprocessing technology.
- j. Timely copies of regulatory standards required to be used or proposed for use by the parties.

II.2 Nuclear Emergency Cooperation

The U.S.N.R.C. and the C.N.S.N.S. reaffirm the nuclear emergency cooperation obligations undertaken by each of their respective governments, particularly concerning the provision of prompt notification of accidents covered in the International Conventions on Early Notification of a Nuclear Accident and on Assistance in the Case of a Nuclear Accident or Radiological Emergency which were adopted in Vienna September 26, 1986.

To facilitate the initial notification and ensuing emergency communication and/or cooperative activities undertaken, the parties agree:

- a. To exchange telephone and telefacsimile numbers to be used for emergency communications and to keep these numbers up-to-date,
- b. To exchange information related to emergency action levels and emergency response classifications,
- c. To exchange information on emergency planning regulations and response organizations,
- d. To exchange and update plant- and site-specific information on the Laguna Verde reactor for the U.S.N.R.C. and on U.S. facilities designated by the C.N.S.N.S.,
- e. To advise each other of any changes which would modify the scope, content, or timing of emergency communications, and
- f. To test communications capabilities on no less than an annual basis.

Applicable international conventions and national laws, policies, and administrative requirements will govern any activities undertaken following the initial notifications with regard to the development/offering of technical advice, the exchange of technical experts, and the provision of equipment or other technical assistance by both parties. Such activities would be decided by the parties on a case-by-case basis.

II.3 Plans for Locating Commercial Nuclear Facilities Near the Frontier

Each party will advise the other promptly of plans under consideration to locate commercial nuclear facilities in the border area, in accordance with provisions of Articles 2, 4, 5, and 6 of the "Agreement Between the United Mexican States and the United States of America on Cooperation for the Protection and Improvement of the Environment in the Border Area," which was signed in La Paz, Baja California, August 14, 1983.

II.4 Cooperation in Nuclear Safety Research

The terms of cooperation for joint programs and projects of nuclear 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