

OIP



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

March 21, 2000

Ms. Judith Melin, Director General
Swedish Nuclear Power Inspectorate (SKI)
SE-106 58 Stockholm
Sweden

Judith
Dear Ms. Melin:

Thank you for your letter of February 24, 2000. I agree to the informal continuation of our nuclear safety cooperation while the U.S. Nuclear Regulatory Commission (NRC) and the Swedish Nuclear Power Inspectorate (SKI) actively negotiate a renewal of our long-standing information exchange and general cooperation arrangement.

I appreciate the SKI's initiative in drafting a renewal text for consideration. I have passed your proposal to our Office of International Programs (OIP) for coordination of NRC's internal review. This will involve our Office of General Counsel as well as our Offices of Nuclear Reactor Regulation and Nuclear Regulatory Research. Ms. Janice Dunn Lee, OIP Director, will forward the agency comments, which may be substantial. The SKI, as you know, has considerably simplified the original arrangement and a quick review indicates that some of the deleted provisions may well be essential to NRC.

When we have developed an agreed text, the NRC will seek U.S. Government interagency clearance, the final step before we can sign the renewal arrangement. We will send you our comments as soon as possible.

Sincerely,

Richard A. Meserve

Datum/Date
February 24, 2000

Vår referens/Our reference
1.516/000271

Ert datum/Your date

Er referens/Your reference

Richard A. Meserve, Chairman
U.S.Nuclear Regulatory Commission
Washington, DC 20555
United States of America

EC'D BY

MWR Q

Dear Mr. Meserve:

As you know the current five-year extension of the "Arrangement Between the United States Nuclear Commission (U.S.N.R.C) and the Swedish Nuclear Power Inspectorate (SKI) for the Exchange of the Technical Information and Cooperation in Nuclear Safety Matters" expired on December 12, 1999. The SKI found the cooperation which took place under the Arrangement to be valuable, as we hope the U.S.N.R.C. did also. I suggest that, by this letter and Your affirmative reply, we agree to the informal continuation of our cooperation while the U.S.N.R.C has the enclosed renewal proposal under active consideration.

Please feel free to make any comments or raise any questions You may have. If we can resolve them to mutual satisfaction, we will be able to finalise the document.

I look forward to hearing from you soon.

Yours sincerely

Judith Melin
Director General
Swedish Nuclear Power Inspectorate
SE-106 58 Stockholm

DRAFT February 24, 2000

ARRANGEMENT

between

the Swedish Nuclear Power Inspectorate (SKI)

of Sweden

and

the Nuclear Regulatory Commission

of the United States

for the

**EXCHANGE OF TECHNICAL INFORMATION AND
CO-OPERATION IN THE REGULATION OF
NUCLEAR SAFETY**

The Swedish Nuclear Power Inspectorate of Sweden (SKI) and the the Nuclear Regulatory Commission of the United States, hereunder called the "Parties",

having a mutual interest in a continuing exchange of information pertaining to regulatory matters and of standards required or recommended by their organisations for the regulation of the safety and environmental impact of nuclear facilities and activities, including management and final storage of spent fuel and nuclear waste,

hereby enter into the following Arrangement:

1. SCOPE OF THE ARRANGEMENT

The Parties agree to exchange technical and regulatory information relating to the safety of nuclear facilities and activities designated by mutual consent to the extent that they are permitted to do so under the laws, regulations and policy directives of their respective authorities. The information exchange includes in particular:

- Safety legislation, regulations and guidelines;
- Major safety reviews, safety initiatives and licensing decisions;
- Reports on incidents and other operational experience of major safety significance;
- Safety related research and development, including development of methods for safety regulation and supervision; and
- Major public information activities.

For the purpose of this arrangement, the expression "safety related" means related to nuclear safety and does not include other aspects of safety.

2. ADMINISTRATION

- 1.1 The exchange of information may be effected by post or appropriate means of electronic communication, including telephone, and by visits and meetings.
- 1.2 An administrator will be designated by each Party to supervise and coordinate its participation in the overall exchange. The administrators shall be the recipients of all documents transmitted under the exchange, unless the Parties decide otherwise.
- 1.3 Meetings of persons implementing this arrangement on behalf of the two Parties shall be arranged only when the Parties mutually deem it to be

appropriate. Any visit made under this arrangement will take place only after consultation between the administrators.

2.4 The laws and regulations of the respective countries shall govern all matters pertaining to this Arrangement.

3. EXCHANGE AND USE OF INFORMATION

2.1 Information received by each Party to this Arrangement may be disseminated freely without further permission of the other Party unless otherwise indicated by the transmitting Party.

2.2 The Parties will ensure that the information received, or the results of the activities carried out by them under this arrangement, are used exclusively for peaceful purposes.

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

4. FINAL PROVISIONS

4.1 This Arrangement shall enter into force upon signature and shall remain in force for five years unless extended for a further period of time by written notice of the Parties.

4.2 Either Party may withdraw from this Arrangement after providing the other Party with 90 days prior written notice of its intention to so withdraw.

Signed at _____ on _____ 19

For the Swedish Nuclear Power Inspectorate of Sweden.

Signed at _____ On _____ 19

For the the Nuclear Regulatory Commission of the United States.

SKI -
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ATTACHMENT:

Explanatory notes

With reference to sections 2.2 and 3.1:

According to the Swedish Constitution, the public has access to all documents produced or received by official authorities such as SKI, unless they should be kept secret according to specific criteria given by law. One such criterion is possible negative impact on the relations between Sweden and another state in case of public access. If a foreign party requests documents to be treated as confidential, SKI routinely treats such documents as secret according to Swedish law, referring to the criterion just cited. The SKI decision to treat a document as secret can however according to law be challenged by any member of the public and tried in the administrative court of appeal. In practice, SKI has so far not encountered any problems in protecting confidentiality of documents received from foreign parties, although the final ruling on public access is not under the authority of SKI.

Documents transmitted:

SKI routinely produces English translations or summaries of the most important regulatory decisions and reports, which are deemed to be of international interest. Such documents will be transmitted routinely under an Arrangement. Other documents and reports, e.g. as listed in reference lists in documents routinely transmitted will be transmitted on request and in Swedish, unless they are already available in English.