

June 2, 2004

Mr. Tseliso Maqubela, Chief Director - Nuclear
Department of Minerals and Energy
Private Bag X59
234 Visagie Street
0002 Pretoria
South Africa

Dear Mr. Maqubela:

Attached is a copy of the "Memorandum of Co-Operation [MOC] Between the Government of the United States of America, Herein Represented by the Nuclear Regulatory Commission, and the Government of the Republic of South Africa, Herein Represented by the Department of Minerals and Energy of the Republic of South Africa (DME) Providing for the Exchange of Information and Co-Operation in Nuclear Safety, Safeguards, and Physical Security." You may recall we discussed the MOC during your visit last fall and although it expired this past February, the NRC has informally continued to honor it, recognizing its mutual potential value.

We would like to extend the MOC with the DME for another five years through a simple exchange of letters, drafts of which are contained in the second attachment. If you agree, we can work to complete this by mail or possibly with a senior DME representative on the margins of the IAEA General Conference in Vienna this September, when NRC Chairman Diaz will be leading the NRC delegation.

We look forward to receiving your response.

Sincerely,

/RA by Edward T. Baker/

Janice Dunn Lee, Director
Office of International Programs

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*See previous concurrence

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D R A F T

The Honorable Sandile Nogxina
Director-General
Department of Minerals and Energy
Private Bag X59
234 Visagie Street
0002 Pretoria
South Africa

Dear Director-General Nogxina:

I refer to the “Memorandum of Co-Operation (MOC) Between the Government of the United States of America, Herein Represented by the Nuclear Regulatory Commission (NRC), and the Government of the Republic of South Africa, Herein Represented by the Department of Minerals and Energy of the Republic of South Africa (DME), Providing for the Exchange of Information and Co-Operation in Nuclear Safety, Safeguards, and Physical Security.” The MOC was concluded on February 17, 1999.

Paragraph 3 of the MOC provides that it remain in force for a period of five years, and that the participants may decide to extend their co-operation at the end of the initial five-year period. I propose that the MOC be extended for a further five-year period between the DME and the NRC. If the DME concurs, the extension will become effective on the date of your reply.

Sincerely,

Nils J. Diaz, Chairman

DRAFT

The Honorable Nils J. Diaz
Chairman
United States Nuclear Regulatory Commission
Washington, DC 20555

Dear Chairman Diaz:

Thank you for your letter of _____, 2004, proposing the five-year extension of the “Memorandum of Co-Operation (MOC) Between the Government of the United States of America, Herein Represented by the Nuclear Regulatory Commission (NRC), and the Government of the Republic of South Africa, Herein Represented by the Department of Minerals and Energy of the Republic of South Africa (DME), Providing for the Exchange of Information and Co-Operation in Nuclear Safety, Safeguards, and Physical Security.” The DME hereby agrees to the five-year extension, to become effective on the date of this reply.

We look forward to close, productive, and mutually beneficial exchanges under this extension.

Sincerely,

Sandile Nogxina, Director-General
Department of Minerals and Energy