

OCT 22 1980

MEMORANDUM FOR: William J. Dircks  
 Executive Director for Operations

FROM: James R. Shea, Director  
 Office of International Programs

SUBJECT: SECY-80-428, PROPOSED INFORMATION EXCHANGE ARRANGEMENT  
 WITH MEXICO

In approving the subject arrangement, Commissioner Gilinsky noted that it is a "very one-sided arrangement." On October 8, you asked me if it is one-sided in our view. As further detailed below, I agree that, in terms of volume of information to be provided for the foreseeable future, this arrangement is one-sided; however, this is not very different from our arrangements with several other developing countries, and really serves at this point as part of our safety assistance to countries with new nuclear programs and as an investment toward the day when the flow of useful information could become more reciprocal as the country's nuclear program and experience grow.

More specifically, the fact that NRC will give some countries much more information and technical assistance than we receive from them has been acknowledged from the beginning of our arrangement program. Mexico falls into this category, along with Korea, Brazil, Greece, Spain, Israel, Taiwan, the Philippines, Finland, and Denmark, all of which have concluded agreements with NRC. What we have required of these countries is that they reciprocate to the extent they can, providing us with copies of what they do produce. This realistic "one-sidedness" was discussed very recently in SECY-80-355, which drew no adverse Commission comment. It should be noted that "one-sided" is a relative term--it does not mean that we get no information from these countries. For example, we regularly obtain operating experience information on Spanish, Korean, Taiwan, and Finnish power reactors, as well as other useful information.

The primary difference between the Mexican arrangement and the others (aside from the letter-implementing procedures format in which it is being handled) is that the Letter of Agreement specifically limits the exchange to information on reactors of U.S. origin. As SECY-80-428 pointed out, however, Mexico has no other type of reactor either operating, being built, or on order; therefore, this is a moot point for the five-year term of this arrangement. In addition, SECY-80-428 indicated that the implementing procedures will contain language such as the sentence in current Section I.1.e., which follows, so that NRC will not be denied any safety-significant information:

"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."

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William J. Dircks

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As a result of the above I believe the Mexican arrangement is roughly comparable in reciprocity to those with the other developing countries.

Original signed by  
James R. Shea  
James R. Shea, Director  
Office of International Programs

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General Arrangement File

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