DECISIONS

COMMISSION DECISION (Euratom) 2023/1112

of 17 July 2020

on the notification of changes to the Euratom delineated peaceful nuclear programme in Annex A to the Agreement for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community and the United States of America

THE EUROPEAN COMMISSION,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 77(b) thereof,

Having regard to the Agreement for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community and the United States of America ([1]), and in particular the second paragraph of Article 8(2) thereof, as well as paragraph 6 and paragraph 7(A) and (C) of the Agreed Minute thereto ([2]),

Whereas:

(1) The Agreement for cooperation in the peaceful uses of nuclear energy between the European Atomic Energy Community and the United States of America was signed at Brussels on 7 November 1995 and entered into force on 12 April 1996 (the Agreement).

(2) The Studiecentrum voor Kernenergie – Centre d'Étude de l'Énergie Nucléaire (SCK.CEN) and the Institut National des Radioéléments (IRE) jointly plan to set up an installation for recycling of the highly radioactive residues resulting from the production of radioactive isotopes for medical purposes in order to ensure sustainable, long-term management of these residues and to support the continuing secure supply of radioactive isotopes for medical purposes. The output of the installation will be a high purity substance suitable for reuse. The construction of this installation, which will be named RECUMO, is scheduled to start in 2020, with operation commencing in 2023. It will be operated by SCK.CEN, at its site in Mol, Belgium.

(3) By its decision of 21 February 2020 ([3]), the Commission granted its approval for the techniques to be used in the RECUMO facility for the chemical processing described in the basic technical characteristics submitted by SCK.CEN at the project's conceptual design phase.

(4) The irradiated materials which are going to be processed in the RECUMO facility are of US origin, thus subject to the Agreement. In particular, Article 8(2) of the Agreement requires that those irradiated materials may only be processed in the facilities forming part of the Euratom delineated peaceful nuclear programme described in Annex A thereto. In this respect, the RECUMO facility should be added to the list of facilities in Annex A.

(5) The procedure for changing Annex A is set out in paragraph 6 and paragraph 7(A) of the Agreed Minute to the Agreement. In particular, a written notification and a written acknowledgment made by the appropriate authorities are required for making changes to the peaceful nuclear programmes defined in Annex A.

(6) Therefore, a notification for adding a new facility in accordance with paragraph 7(A) of the Agreed Minute to the Agreement should be approved for transmission to the US Department of State.

([1]) OJ L 120, 20.5.1996, p. 1.
([2]) OJ L 120, 20.5.1996, p. 12.
([3]) Commission Decision C(2020) 940 final of 21 February 2020 on approval of the techniques to be used for the chemical processing of irradiated materials in the SCK.CEN RECUMO installation, located in Mol, Belgium.

(7) In addition, two decommissioned nuclear facilities should be deleted from the Euratom delineated peaceful nuclear programme and notified in accordance with paragraph 7(C) of the Agreed Minute to the Agreement,

HAS DECIDED AS FOLLOWS:

Article 1

The notification of changes to the Euratom delineated peaceful nuclear programme in Annex A to the Agreement for Cooperation in the Peaceful Uses of Nuclear Energy between the European Atomic Energy Community and the United States of America is hereby approved. The text of the notification is attached to this Decision.

Article 2

The Commissioner responsible for Energy or the Director-General of the Directorate-General for Energy, or their designated representative, are hereby authorised to transmit the notification to the US Department of State.

Done at Brussels, 17 July 2020.

For the Commission
Kadri SIMSON
Member of the Commission