

The Honorable Richard B. Cheney  
President of the United States Senate  
Washington, DC 20510

Dear Mr. President:

I am enclosing the "Report to Congress on Abnormal Occurrences: Fiscal Year 2006" (NUREG-0090, Vol. 29). The U.S. Nuclear Regulatory Commission (NRC) is forwarding this report to Congress in accordance with Section 208 of the Energy Reorganization Act of 1974 (Public Law 93-438) and the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104-66), which require the NRC to identify and report abnormal occurrences (AOs) to Congress annually. In the context of the Energy Reorganization Act, an abnormal occurrence is an unscheduled incident or event that the Commission determines to be significant from the standpoint of public health or safety.

The NRC staff used the criteria listed in Appendix A of the report "Abnormal Occurrence Criteria and Guidelines for Other Events of Interest," to assess the FY 2006 events. During FY 2006, three events at NRC-licensed facilities and six events at Agreement-State licensed facilities occurred that meet the AO classification criteria. The three AOs at NRC-licensed facilities include a spill of high-enriched uranium solution at a fuel fabrication facility, a medical event, and an unintended dose to an embryo/fetus. The six AOs at Agreement State-licensed facilities include four medical events, one unintended dose to an embryo/fetus, and one industrial event. Also during the fiscal year, the staff revised the AO criteria to make them more risk-informed. The revised criteria became effective on October 12, 2006. The staff will use the revised criteria to select AOs for the annual report to Congress for FY 2007. The revised criteria can be found in Appendix D of the report, "Revised Abnormal Occurrence Criteria and Guidelines for Other Events of Interest."

The Energy Policy Act of 2005 (EPAAct) expanded the NRC's regulatory jurisdiction by amending the definition of byproduct material to include discrete sources of radium-226, accelerator-produced radioactive material, and discrete sources of naturally occurring radioactive material. The NRC is developing a rule to implement the EPAAct. Once the rule is promulgated, the NRC and Agreement States will monitor events that may meet the revised AO criteria.

Sincerely,

Dale E. Klein

Enclosure:  
As stated

ENCLOSURE 2