

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: EDO

To: Thadani, RES
Ref. G20040122

AUTHOR: Phd Frank von Hippel

AFFILIATION: NJ

ADDRESSEE: CHRMs Nils Diaz

SUBJECT: Concerns request to review classified report on the risk of spent-fuel fires

cys: EDO
DEDMRS
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EDR

ACTION: Information

DISTRIBUTION: RF

LETTER DATE: 04/11/2004

ACKNOWLEDGED No

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NOTES: Note: CR-04-0061 sent to EDO for Director of RES signature on 4/12/04. Commission approved response.

FILE LOCATION: ADAMS

DATE DUE:

DATE SIGNED:

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April 11, 2004

Nils Diaz, Chairman
Nuclear Regulatory Commission
Washington, DC 20555, Fax 301 415-1757

Dear Chairman Diaz,

On Feb. 17, 2004, I wrote you requesting to review the new classified report on the risk of spent-fuel fires that the NRC believes supercedes its previous "more conservative" analysis in NUREG-1738, and the Sandia and Brookhaven National Laboratory reports on which NUREG-1738 was based.

As I indicated in my letter, it should be possible to declassify almost all of the new NRC report, since it must largely parallel the unclassified reports that it supercedes. I requested, however, that, if declassification cannot be carried out expeditiously, that the NRC reactivate my Secret or Top Secret clearance so that I can look at the classified version.

I received a relatively prompt response from the NRC Secretary, Annette L. Vietti-Cook, dated February 27, acknowledging my letter and stating that "a response is under preparation which will be forwarded to you shortly."

Six weeks have now passed and I have not yet received the response. Could you check if it has fallen in a crack someplace?

Sincerely yours,

Frank N. von Hippel, Professor of Public and International Affairs, Princeton University

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