UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

CHAIRMA

April 28,2004

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

Dear Mr. President:

I am forwarding the NRC's "Report to Congress on Abnormal Occurrences, Fiscal Year 2003." This report on events involving radioactive materials use is required by Section 208 of the Energy Reorganization Act of 1974 (ERA) [Public Law 93-438]. In the context of the ERA, an abnormal occurrence (AO) is an unscheduled incident or event that the Commission determines to be significant from the standpoint of public health or safety. The Federal Reports Elimination and Sunset Act of 1995 (Public Law 104-66) requires that AOs be reported to Congress annually.

The report describes five medical events at facilities licensed by the NRC. Three events involved patients undergoing therapeutic brachytherapy treatments, one event involved an unintentional therapeutic dose of sodium iodide to an embryo/fetus, and one event involved a therapeutic overexposure to a minor. The report also discusses nine AOs at facilities licensed by Agreement States. Agreement States are those States that have entered into a formal agreement with the NRC pursuant to Section 274 of the Atomic Energy Act (AEA) to regulate certain quantities of AEA licensed material at facilities located within their borders. Seven of these occurrences were medical events (five therapeutic and two diagnostic), one involved overexposure to a radiographer, and one involved overexposure to members of the public from a damaged gauge.

Appendix B of the report provides updates on two events initially reported in the fiscal year (FY) 2002 annual report to Congress. The first update addresses the degradation of the reactor pressure vessel head at the Davis-Besse Nuclear Power Station. The NRC determined that Davis-Besse satisfactorily addressed the issues resulting in the extended shutdown. In a letter dated March 8, 2004, the NRC approved the restart of Davis-Besse. The second update describes inspection and enforcement actions undertaken after an unplanned radiological exposure of oil rig workers.

Finally, Appendix C of the report, "Other Events of Interest," describes three nuclear power reactor events and one materials event.

Sincerely,

/RA/

Nils J. Diaz

Enclosure: "Report to Congress on Abnormal
Occurrences, Fiscal Year 2003"

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NUCLEAR REGULATORY COMMISSION
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CHAIRMA

April 28, 2004

The Honorable J. Dennis Hastert
Speaker of the United States
House of Representatives
Washington, D.C. 20515

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