

EDO Principal Correspondence Control

FROM: DUE: 08/04/04 EDO CONTROL: G20040496
DOC DT: 07/20/04
FINAL REPLY:

Senator Dorgan
Senator Feinstein
(Senator Domenici/DOE Referral)

TO:

Portner, OCA

FOR SIGNATURE OF : ** GRN ** CRC NO: 04-0471

Rathbun, OCA

DESC:

Nuclear Security

ROUTING:

Reyes
Norry
Virgilio
Kane
Collins
Dean
Burns/Cyr
Rathbun, OCA

DATE: 07/26/04

ASSIGNED TO: CONTACT:
NSIR Zimmerman

SPECIAL INSTRUCTIONS OR REMARKS:

Prepare response for the signature of D. Rathbun,
OCA. Commission to review response prior to
dispatch. Add Commission on for concurrence.

Template: SECY-017

E-RIDS: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Jul 23, 2004 14:54

PAPER NUMBER: LTR-04-047i **LOGGING DATE:** 07/23/2004
ACTION OFFICE: EDO

AUTHOR: Shane Perkins (Staff Asst.)
AFFILIATION: SEN
ADDRESSEE: Linda Portner
SUBJECT: Questions on nuclear security from Senator Dorgan

ACTION: Direct Reply
DISTRIBUTION: Chairman, Commissioners, OGC

LETTER DATE: 07/23/2004
ACKNOWLEDGED: No
SPECIAL HANDLING: Prepare response for the signature of the Director, OCA. Commission to review prior to dispatch.

NOTES:
FILE LOCATION: ADAMS

DATE DUE: 08/06/2004 **DATE SIGNED:**

EDO --G20040496

Senator Dorgan Questions:

I understand that the NRC is now refocusing its efforts on force-on-force security exercises at nuclear power facilities. Under this program, the NRC is now allowing third-party security forces to perform these training exercises. What are the reasons for this change in practice?

Do you agree that by allowing third-party contractors to essentially evaluate their own readiness, there may be a perception that these evaluations pose a conflict of interest?

I do not feel security forces, especially in the area of nuclear security, should be allowed to evaluate themselves. If this is happening, what procedures have the NRC put in place to ensure that members of the same company evaluating their own security teams will be isolated from each other?

It would seem that the best way to avoid a potential conflict of interest would be to have the government conduct these exercises like they did before 2001. What level of funding or other tools are needed for the NRC to be able to conduct force-on force exercises like they did before September 11, 2001?

Hello Ms. Portner,

Pete Lyons asked me to see if you would look at the message from Erik Rasmussen below and see if you all wouldn't mind answering the two questions Erik mentions as being out of their purview.

Thank you,

Shane Perkins
Staff Assistant
Senate Committee on Energy
& Natural Resources
202-224-7555

-----Original Message-----

From: Rasmussen, Erik [mailto:Erik.Rasmussen@hq.doe.gov]
Sent: Thursday, July 22, 2004 12:42 PM
To: Williamson, Clint (Energy)
Cc: Perkins, Shane (Energy); Owen, Lil
Subject: RE: NE Questions for the Record

Clint/Shane--our folks have looked over the post-hearing questions and feel that a few of them are on issues that are within the responsibilities and jurisdiction of the NRC, rather than DOE. Those questions are Senator Dorgan's (on nuclear plant security exercises), and Senator Feinstein's question on securing dry cask storage. We will proceed to answer the others, of course, but would ask that you refer these Dorgan and Feinstein questions to the NRC.

Thanks.

Erik

July 20, 2004

The Honorable Kyle E. McSlarrow
Deputy Secretary
Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Mr. McSlarrow,

I would like to take this opportunity to thank you for appearing before the Senate Committee on Energy and Natural Resources on Tuesday July 13, 2004, to give testimony regarding the role of nuclear power in national energy policy.

Enclosed herewith please find a list of questions which have been submitted for the record. If possible, I would like to have your response to these questions by Tuesday, August 3, 2004.

Thank you in advance for your prompt consideration.

Sincerely,

Pete V. Domenici
Chairman

Pete Lyons
→ We can respond by the end of August