

April 1, 2005

The Honorable David Price  
United States House of Representatives  
Washington, D.C. 20515

Dear Congressman Price:

On behalf of the Commission, I am responding to your letter of February 17, 2005, requesting that the U.S. Nuclear Regulatory Commission (NRC) outline the progress it has made in approving the unclassified summary of the National Academy of Sciences (NAS) study on the safety and security of commercial spent nuclear fuel storage and the date the NRC expects NAS to issue the unclassified summary.

Beginning in August 2004, both the Commission and the NRC staff have engaged in a sustained dialogue with the NAS committee regarding NRC's information-security concerns on the unclassified summary. The Commission recognizes the difficulty NAS has had in developing an appropriate unclassified summary consistent with the Congressional Appropriations language. The NRC regrets that this issue had not been resolved to the satisfaction of all parties earlier.

Establishing the appropriate balance between information security and openness in the public report is an important issue to the Commission, and the NRC has worked with NAS to establish this balance. In this regard, the Commission has established an internal task force to review categorization of information (e.g., classified, safeguards, and sensitive unclassified information that should be withheld from public disclosure under a Freedom of Information Act Exemption). Also, the Commission directed the staff to conduct an additional review of the NAS report to Congress to continue facilitating the development of a public summary. The results of this review were provided to NAS on March 29, 2005, and the staffs of the NRC and NAS met to resolve the issue on March 30; an agreement was reached that will result in the public report being issued shortly.

The Commission appreciates the NAS committee's insights into improving the safety and security of commercial spent nuclear fuel storage. The NRC is taking seriously the NAS committee's recommendations and believes the NAS study reinforces the validity of recent NRC studies and security measures. The NAS committee's insights will enhance existing Commission actions in ensuring the protection of public health and safety, the environment, and the common defense and security at NRC-licensed facilities storing spent nuclear fuel.

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Thank you for your interest in this matter. Please contact me if you have further questions or concerns.

Sincerely,

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Nils J. Diaz