

EDO Principal Correspondence Control

FROM: DUE: 04/12/05 EDO CONTROL: G20050241  
DOC DT: 03/29/05  
FINAL REPLY:

Rep. Edward Markey  
Cong. Nita M. Lowey

TO:

Chairman Diaz

FOR SIGNATURE OF : \*\* GRN \*\* CRC NO:

Chairman Diaz

DESC: ROUTING:

Urges the Comm. to Resolve Objections to Release  
the Unclassified Version of the Congressionally  
Mandated National Academies of Science (NAS)  
Study on Safety and Security Issues Associated  
with the Storage of Spent Nuclear Fuel

Reyes  
Virgilio  
Kane  
Merschhoff  
Silber  
Dean  
Burns/Cyr  
Zimmerman, NSIR  
Strosnider, NMSS  
Paperiello, RES  
Dyer, NRR  
Outlaw, OCA

DATE: 04/07/05

ASSIGNED TO: CONTACT:  
EDO Luehman

SPECIAL INSTRUCTIONS OR REMARKS:

Develop a short response to the two Congressmen  
outlining our recent actions. Need NSIR and RES  
concurrences.

Template: SECY-017

E-KIDS: SECY-01



**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

March 29, 2005

The Honorable Nils J. Diaz  
Chairman  
Nuclear Regulatory Commission  
Washington, DC 20555

Dear Mr. Chairman,

We are writing to urge you to expeditiously resolve your objections to the release of the unclassified version of the Congressionally-mandated National Academies of Science (NAS) study on safety and security issues associated with the storage of spent nuclear fuel.

The original purpose of the NAS study was to provide an independent analysis of these security issues. It was Congress' intent to make publicly available as much of that analysis and the subsequent recommendations as possible.


This information is vital to communities that sit in the shadows of nuclear power plants. In addition to providing those responsible for emergency planning and nuclear plant officials the tools they need to keep our communities safe, we must also give the public adequate information about the security measures taken to protect their families.

However, the release of the unclassified version of this study has evidently been held up by the Commission since November 2004, undermining the ability of the public to assess and critique these security measures. NRC has provided unclassified information to Congress in response to this report while the report itself remains unavailable to the public. While we appreciate that a delicate balance must be struck between making information publicly available and maintaining security standards, in this case there appears to be inconsistency regarding the release of unclassified information pertaining to this report.

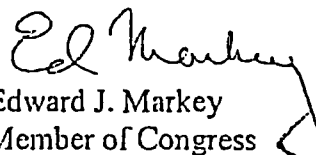
We strongly believe the public has the right to review an unclassified version of the NAS study and urge you to address this matter quickly to ensure that no further delays take place.

Thank you very much for your attention to this matter and your prompt response. If you have any questions or concerns please have your staff contact Nathan Steinwald (Rep. Lowey's office, 202-225-6506) or Dr. Michal Freedhoff (Rep. Markey's office, 202-225-2836).

Sincerely,



Nita M. Lowey  
Member of Congress



Edward J. Markey  
Member of Congress

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

April 1, 2005

The Honorable Nita M. Lowey  
United States House of Representatives  
Washington, DC 20515

Dear Congresswoman Lowey:

This is to acknowledge receipt of your letter dated March 29, 2005, regarding the release of the unclassified version of the National Academies of Science study on safety and security issues associated with the storage of spent nuclear fuel.

Please be assured that we are working on a response and a reply will be forwarded to you as soon as possible.

Sincerely,

A handwritten signature in cursive script that reads "Dennis K. Rathbun".

Dennis K. Rathbun, Director  
Office of Congressional Affairs