

April 27, 2005

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

Dear Mr. President:

I am enclosing the U.S. Nuclear Regulatory Commission's (NRC) "Report to Congress on Abnormal Occurrences: Fiscal Year (FY) 2004." This report fulfills the NRC's responsibilities under Section 208 of the Energy Reorganization Act of 1974 (Public Law 93-438) and the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104-66), which require the NRC to identify and report abnormal occurrences (AOs) to Congress annually. In the context of the Energy Reorganization Act, an "abnormal occurrence" is an unscheduled incident or event that the Commission determines to be significant from the standpoint of public health or safety.

The enclosed report describes four events at NRC-licensed facilities that meet the criteria to be classified as AOs, as defined in Appendix A to the report. One event involved a uranium hexafluoride release at a fuel cycle facility. Another event, also at a fuel cycle facility, revealed excessive uranium concentrations found in ash deposits in various locations in an incinerator. A third event involved a patient undergoing therapeutic brachytherapy treatment. The fourth event involved an unintentional excessive dose of sodium iodide (I-131) administered to a patient. During FY 2004, the NRC also received notification of 13 AOs at facilities licensed by Agreement States. Agreement States are those States that have entered into formal agreements 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. This report describes the thirteen Agreement State events, including eight therapeutic medical events, 3 diagnostic medical events, 1 event involving an unintentional dose of I-131 to an embryo/fetus, and 1 event involving an extremity overexposure to a radiopharmacy trainee.

Appendix B of the report provides an update on an event initially reported in the fiscal year (FY) 2003 annual report to Congress. This appendix updates a September 9, 2003 event that resulted in a significant overexposure to a radiographer. The NRC issued a Notice of Violation and Proposed Imposition of Civil Penalty on June 15, 2004, for multiple significant violations related to the overexposure. The NRC conducted followup inspections of the licensee's field operations in 2004 to verify the adequacy of its implementation of the corrective actions.

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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: As stated

Identical letter sent to:

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

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