

May 19, 2005

The Honorable James M. Jeffords
United States Senate
Washington, D.C. 20510

Dear Senator Jeffords:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am writing in response to your letter of April 12, 2005, in which you urged the NRC to implement recommendations of the U.S. Government Accountability Office (GAO) report entitled "NRC Needs to Do More to Ensure that Power Plants are Effectively Controlling Spent Nuclear Fuel" (GAO-05-339). I want to thank you for your letter and interest in spent fuel security at nuclear power plants.

The NRC is analyzing GAO's recommendations. In accordance with 31 U.S.C. 720, the NRC will provide a written statement of the actions taken on GAO's recommendations to the Senate Committee on Homeland Security and Governmental Affairs and the House Committee on Government Reform by June 12, 2005. A copy of the written statement will be provided to you as well.

For your reference, enclosed is a copy of the NRC staff's comments on GAO's draft report concerning the material control and accounting of spent nuclear fuel. This letter, dated March 25, 2005, provides the NRC staff's preliminary views on the draft report and also outlines ongoing efforts to address many of the issues contained in the final GAO report.

Your letter urged the NRC to take specific actions to improve spent fuel control and accounting. The NRC agrees that implementation guidance needs to be enhanced to address loose rods and pieces of spent fuel and is working to complete the guidance.

Prior to September 11, 2001, spent fuel was well protected by physical barriers, armed guards, intrusion detection systems, area surveillance systems, access controls, and access authorization requirements for employees working inside the plants. Since September 11, 2001, NRC has significantly modified its requirements, and licensees have significantly increased their resources to improve security at spent fuel facilities and nuclear power plants. The results of security assessments completed to date clearly show that storage of spent fuel provides reasonable assurance that public health and safety, the environment, and the common defense and security are adequately protected.

If you have further comments or questions related to this matter, please contact me.

Sincerely,

/RA/

Nils J. Diaz

Enclosure: As stated

cc: Senator Patrick Leahy
Representative Bernard Sanders
Representative John Olver

Identical letter sent to:

The Honorable James M. Jeffords
United States Senate
Washington, D.C. 20510

The Honorable Patrick Leahy
United States Senate
Washington, D.C. 20510

The Honorable Bernard Sanders
United States House of Representatives
Washington, D.C. 20515

The Honorable John Olver
United States House of Representatives
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