

August 10, 2005

Tawfik M. Raby, Co-Chair
Seymour H. Weiss, Co-Chair
National Organization of Test, Research and Training Reactors
National Institute of Standards and Technology
100 Bureau Drive, MS 8561
Gaithersburg, Maryland 20899-8561

Dear Messrs. Raby and Weiss:

I am writing in response to your letter dated July 27, 2005, regarding the recent visits by intern reporters to Research and Test Reactor (RTR) facilities licensed by the Nuclear Regulatory Commission (NRC). Based on previous reporting and followup discussions with individual licensees, it is our understanding that these individuals did not identify themselves as intern reporters and requested tours of the facilities. In addition, at some facilities they asked numerous questions on security matters and may have been filming the tours in a covert manner. Soon after the first notification of such a visit, the NRC informed all RTR licensees of the unusual and suspicious behavior of these individuals, to anticipate such visits, and to notify law enforcement agencies and the NRC in accordance with the NRC's advisory on suspicious activities. Through prompt coordination with law enforcement, it was determined that these visits were part of a "Summer Fellows" intern investigative reporter program in conjunction with ABC News. The NRC understands that no safeguards information was available or revealed during any of these incidents.

The NRC has previously conducted comprehensive evaluations of RTR security plans, procedures, systems, and response, which included consideration of potential challenges presented by publicly-available tours and information. As a result of these earlier evaluations, the NRC concluded that RTR security continued to provide adequate protection of public health and safety. This conclusion is consistent with the findings summarized in your letter. The NRC will continue to provide oversight of RTR licensees through evaluations of safety and security at licensed facilities.

The NRC welcomes news inquiries. It is important to note that under the access authorization process for research reactors, the access afforded the Summer Fellows was the same as they would have received had they identified themselves as reporters. The NRC continues to believe that trying to gain access to reactor facilities under potentially suspicious circumstances,

T. Raby and S. Weiss

-2-

especially in the current threat environment, creates unnecessary concerns, diverts limited resources, and inappropriately distracts from high priority law enforcement activities.

Sincerely,

/RA/ Frank P. Gillespie for
David B. Matthews, Director
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

T. Raby and S. Weiss

-2-

especially in the current threat environment, creates unnecessary concerns, diverts limited resources, and inappropriately distracts from high priority law enforcement activities.

Sincerely,

David B. Matthews, Director
Division of Regulatory Improvement Programs
Office of Nuclear Reactor Regulation

DISTRIBUTION: (G20050539)

| | | | |
|-----------|---------------|-----------|-------------------|
| PUBLIC | RNRP/R&TR r/f | MMendonca | RidsOgcMailCenter |
| AAdams | EBrenner | SMorris | RidsEdoMailCenter |
| RidsNrrOd | RidsNrrDrip | BSweeney | EHylton |
| WBeckner | SMorris | EBrenner | RidsNrrWpcMail |

PACKAGE ACCESSION NO.: ML052140611
INCOMING ACCESSION NO.: ML052140397
RESPONSE ACCESSION NO.: ML052100387

TEMPLATE No.: NRR-106

| | | | | | | |
|--------|-------------|--|----------|--|---|--------|
| OFFICE | RNRP:RI | | RNRP:LA | | RNRP:ASC | |
| NAME | MMendonca | | EHylton | | AAdams | |
| DATE | 8/ 2 /05 | | 8/ 2 /05 | | 8/ 2 /05 | |
| OFFICE | DNS/NSIR:SC | | RNRP:PD | | OPA | DRIP:D |
| NAME | SMorris | | WBeckner | | EBrenner | |
| DATE | 8/ 3 /05 | | 8/ 2 /05 | | 8/ 2 /05 | |
| OFFICE | NRR:D | | EDO | | OCM | DRIP:D |
| NAME | JDyer | | LReyes | | DMatthews (FGillespie for) (for signature) | |
| DATE | 8/ 3 /05 | | 8/04/05 | | 8/8/05 | |

C = COVER

**E = COVER & ENCLOSURE
OFFICIAL RECORD COPY**

N = NO COPY