

EDO Principal Correspondence Control

FROM: DUE: 05/23/06

EDO CONTROL: G20060486  
DOC DT: 04/19/06 /

Senator Daniel K. Akaka

FINAL REPLY:  
EDATE: SECY-2006-0088

TO:

Chairman Diaz

FOR SIGNATURE OF :

\*\* PRI \*\*

CRC NO: 06-0232

Chairman Diaz

DESC:

ROUTING:

Efforts to Control and Regulate Sealed Radioactive Sources

Reyes  
Virgilio  
Kane  
Silber  
Dean  
Cyr/Burns  
Strosnider, NMSS  
Lee, OIP

DATE: 05/12/06

ASSIGNED TO:

CONTACT:

NSIR

Zimmerman

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

E-KIDS: SECY-01

# EDATS

Electronic Document and Action Tracking System

**EDATS Number: SECY-2006-0088**

**Initiating Office: SECY**

## General Information

**Assigned To: NSIR**

**OEDO Due Date: 5/23/2006 5:00 PM**

**Other Assignees:**

**SECY Due Date: 5/25/2006 5:00 PM**

**Subject: Efforts to Control and Regulate Sealed Radioactive Sources**

**Description:**

**ADAMS Accession Numbers**

**Incoming:**

**Response:**

**Package:**

## Document Information

**Originating Organization: Congress**

**Originator Name: Senator Daniel K. Akaka**

**Incoming Task Received: Letter**

**Date of Incoming Document: 4/19/2006**

**Document Received by OEDO Date: 5/23/2006**

**Date Response Requested by Originator: NONE**

**Addressee: Chairman Diaz**

## Process Information

**Action Type: Letter**

**Priority: Medium**

**Sensitivity: None**

**Signature Level: Chairman Diaz**

**Urgency: NO**

**OEDO Concurrence: YES**

**OCM Concurrence: YES**

**Special Instructions:**

## Other Information

**Cross Reference Number: G20060486**

**Related Task:**

**File Routing: EDATS**

**Agency Lesson Learned: NO**

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: May 12, 2006 08:48

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**PAPER NUMBER:** LTR-06-0232 **LOGGING DATE:** 05/10/2006  
**ACTION OFFICE:** EDO

**AUTHOR:** SEN Daniel Akaka  
**AFFILIATION:** CONG  
**ADDRESSEE:** CHRM Nils Diaz  
**SUBJECT:** Expresses concerns regarding efforts to control and regulate sealed radioactive sources

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** OCA to Ack, RF

**LETTER DATE:** 04/19/2006  
**ACKNOWLEDGED:** No  
**SPECIAL HANDLING:** Commission Correspondence

**NOTES:**  
**FILE LOCATION:** ADAMS

**DATE DUE:** 05/25/2006 **DATE SIGNED:**

EDO --G20060486

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GOVERNMENTAL AFFAIRS  
INDIAN AFFAIRS  
VETERANS' AFFAIRS

April 19, 2006

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

Dear Chairman Diaz:

I am writing to express my continued concern regarding efforts to control and regulate sealed radioactive sources and to ask why the Nuclear Regulatory Commission (NRC) has failed to implement additional security and tracking measures as agreed to in response to an August 2003 Government Accounting Office (GAO) report that I requested, titled "Nuclear Security: Federal and State Action Needed to Improve Security of Sealed Radioactive Sources."

The use of radioactive sources is now commonplace throughout the world. Since September 11, 2001, the Nuclear Regulatory Commission (NRC) has made considerable progress in enhancing the security of risk-significant radioactive sources. I am pleased to see, for example, that the NRC has worked together with the Department of State and the International Atomic Energy Agency (IAEA) to establish the IAEA Code of Conduct for the safety and security of radioactive sources in the international community.

Despite this progress, however, much work remains to be done to control, regulate and account for sealed radioactive sources. The August 2003 GAO report highlighted security weaknesses in the NRC's licensing process, such as the ease with which sealed sources can be purchased without the verification of credentials. GAO additionally pointed out that the number of sealed sources in the United States is unknown because neither the NRC nor state governments track individual sealed sources.

Today, nearly three years after the NRC committed to improve source accountability and tracking, considerable security weaknesses remain with the NRC licensing process. The exact number of sealed radioactive sources is still unknown, and only interim tracking methods and inventories have been established. In a recent Senate Homeland Security and Governmental Affairs Committee Permanent Subcommittee on Investigations hearing, GAO testified that radioactive source suppliers are still not required to verify the legitimacy of the buyer and buyers are not required to produce NRC documentation when purchasing in small quantities. This lack of accountability gravely affects the national security of our nation and must be corrected.

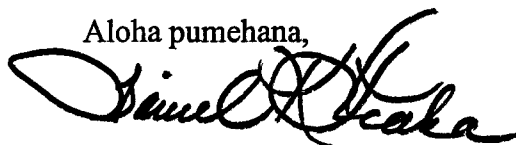
Honorable Nils J. Diaz  
April 19, 2006  
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It is imperative that the NRC improve radioactive source licensing procedures and implement a national source tracking system to improve end-to-end accountability and management of dangerous radioactive sources. I ask for a renewed sense of urgency in the NRC's efforts to control and regulate sealed radioactive sources and ask that the NRC provide answers to the following questions:

- What improvements have been made in the NRC's ability to authenticate the credentials of those requesting general and specific licenses?
- What improvements have been made to prevent counterfeiting of NRC documents?
- What progress has been made regarding the implementation of a national source tracking system? When will such a system be operational? How accurate and effective are present interim tracking systems?
- What is being done to determine precise sealed source inventories, and the total number of sources?

I appreciate your immediate attention to this matter. Please contact Peter Villano on my staff at (202) 224-4551 should you have any questions.

Aloha pumehana,



Daniel K. Akaka  
Ranking Member  
Subcommittee on Government Management,  
the Federal Workforce, and  
the District of Columbia