

Appendix C

Task Force Charter

TASK FORCE ON RADIATION SOURCE PROTECTION AND SECURITY CHARTER

Background

The Energy Policy Act of 2005 required establishment of an inter-agency task force on radiation source protection and security. The Task Force is being established to evaluate and provide recommendations to the President and Congress relating to the security of radiation sources in the United States from potential terrorist threats, including acts of sabotage, theft, or use of a radiation source in a radiological dispersal device.

The Energy Policy Act of 2005 defines a radiation source as a Category 1 Source or a Category 2 Source as defined in the Code of Conduct¹ and any other material that poses a threat such that the material is subject to Section 170H of the Atomic Energy Act, as determined by the Commission, by regulation, other than spent nuclear fuel and special nuclear materials.

Purpose and Scope

The Task Force shall evaluate and provide recommendations relating to the security of radiation sources in the United States from potential terrorist and criminal threats, including acts of sabotage, theft, or use of a radiation source in a radiological dispersal device.

Specifically, the Task Force will evaluate and make recommendations on the following:

- The list of sources requiring security based on potential attractiveness of the source to terrorists and criminals and the extent of the threat to public health and safety
- The national system for recovery of lost or stolen sources
- Storage of radiation sources that are not used in a safe and secure manner
- The national source tracking system

1 "Code of Conduct on the Safety and Security of Radioactive Sources," approved by the Board of Governors of the International Atomic Energy Agency and dated September 8, 2003.

- A national system (including user fees and other methods) to provide for the proper disposal of sources
- Import and export controls on sources to ensure that foreign and U.S. recipients of sources are able and willing to adequately control sources
- Alternative technologies available that may perform some or all of the functions performed by devices or processes that employ radiation sources
- Appropriate regulations and incentives for the replacement of the devices and processes with alternative technologies or with sources that would pose a lower risk to public health and safety in the event of an accident or attack involving the radiation source
- Procedures for improving the security of use, transportation and storage of sources, including the inspection program; security measures; fines, background checks for individuals with access to radiation sources; exchange of information on background checks; physical security of facilities that contain radiation sources; and the screening of shipments to facilities to ensure that the shipments do not contain explosives

The Task Force may decide to include other pertinent topics in its evaluation.

During the evaluation of the programs, the Task Force shall consult with Federal, State, and local agencies; the Conference of Radiation Control Program Directors; and the Organization of Agreement States. The Task Force shall notice and provide an opportunity for public comment on its activities.

Membership

The Task Force consists of representatives of NRC, Department of Homeland Security (DHS), Department of Defense (DOD), Department of Energy (DOE), Department of Transportation (DOT), Department of Justice (DOJ), Department of State (DOS), Director of National Intelligence (DNI), Central Intelligence Agency (CIA), Federal Emergency Management Agency (FEMA), Federal Bureau of Investigation (FBI), Environmental Protection Agency (EPA), Health and Human Services/Food and Drug Administration (HHS/FDA), and Office of Science and Technology Policy (OSTP). The Committee will be chaired by NRC.

Products

The Task Force is chartered to produce the following:

- An initial report, in unclassified form with a classified annex if necessary, providing recommendations, including recommendations for appropriate regulatory and legislative changes related to the protection and security of radiation sources. The report is to be submitted to Congress and the President.
- Subsequent reports, in unclassified form with a classified annex if necessary, providing recommendations, including recommendations for appropriate

regulatory and legislative changes related to the protection and security of radiation sources. The reports are to be submitted to Congress and the President.

Report Content

The first report will document what is currently being done (or planned in the near term), and where appropriate provide rationale for acceptability of the program element in each of the areas discussed above. The report will also identify inconsistencies and apparent weaknesses in these areas. Where possible, the report will identify and recommend specific actions to remediate them. For the second report, the Task Force will conduct a gap analysis and focus on areas and issues where there may not be actions underway or programs in place. The report will include an update on each of the areas discussed in the first Task Force report. Possible topics include emergency response from a local to national perspective.

Concept of Operations

The Task Force may form Subgroups to evaluate specific topics. In evaluating topics, the Subgroup should endeavor to develop consensus findings and recommendations. Consensus does not mean that everyone agrees on every detail, but rather that they have a shared understanding of the issue and a basic level of widespread acceptability of the outcomes. Subgroup members should be allowed an opportunity to express their opinions. The Subgroup should look for alternatives that are acceptable to all participants. In achieving consensus, there should be no major objections or strong concerns related to the finding or recommendation. If the Subgroup cannot achieve consensus, the issue needing resolution should be brought to the attention of the full Task Force. The Subgroup should state the issue as concisely as possible, including possible alternatives for the consideration of the full Task Force. If after consideration the full Task Force cannot reach consensus on the topic, the Task Force may consider the inclusion of a minority view in the Task Force report.

Schedule

The first report is to be submitted to Congress and the President no later than August 8, 2006. Subsequent reports to the Congress and the President are to be submitted not less than once every 4 years. The second report is to be submitted no later than August 8, 2010. Milestones for individual products will be developed on a case-by-case basis.

Level of Effort

Initially, the Task Force and Subgroup meetings are expected to occur on a schedule needed to support development of the recommendations for source protection and security and delivery of the report to Congress and the President no later than August 8, 2006. Member agencies will provide necessary resources to support the Subgroups. Member agencies will provide input to the initial report, comment on the report, and concur on the report consistent with the agreed upon schedule. After the initial report is issued, the Task Force meetings will be convened on a schedule necessary to support delivery of the updated report every 4 years as required by the Act.