

EDO Principal Correspondence Control

FROM: DUE: 03/07/07

EDO CONTROL: G20070131  
DOC DT: 01/25/07  
FINAL REPLY:

Governor Christine O. Gregoire  
State of Washington

TO:

Chairman Klein

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 07-0128

Chairman Klein

DESC:

Security for Radioactive Materials

ROUTING:

Reyes  
Virgilio  
Kane  
Silber  
Johnson  
Cyr/Burns  
Mallett, RIV

DATE: 02/23/07

ASSIGNED TO:

CONTACT:

FSME

Miller

SPECIAL INSTRUCTIONS OR REMARKS:

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Feb 23, 2007 10:59

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**PAPER NUMBER:** LTR-07-0128 **LOGGING DATE:** 02/22/2007  
**ACTION OFFICE:** EDO

**AUTHOR:** Christine Gregoire  
**AFFILIATION:** WA-GOV  
**ADDRESSEE:** Dale Klein  
**SUBJECT:** Request for support on the imporant issues of security for radioactive materials

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

**LETTER DATE:** 02/21/2007  
**ACKNOWLEDGED** No  
**SPECIAL HANDLING:** Made publicly available in ADAMS via EDO/DPC

**NOTES:** OCM #804  
**FILE LOCATION:** ADAMS

**DATE DUE:** 03/08<sup>09</sup>/2007 **DATE SIGNED:**

EDO --G20070131

CHRISTINE O. GREGOIRE  
Governor



STATE OF WASHINGTON  
OFFICE OF THE GOVERNOR

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January 25, 2007

The Honorable Dale E. Klein, Chairman  
United States Nuclear Regulatory Commission  
Office of Public Affairs  
Washington, D.C. 20555

Dear Chairman Klein:

I am writing to request your support on the important issue of security for radioactive materials.

In August 2006, a truck containing an industrial radiography source was stolen in Everett, Washington. The truck and its highly radioactive contents were recovered quickly, but it took significant efforts by federal, state, and local law enforcement agencies. That event and a similar occurrence in Garland, Texas, illustrate that better systems are needed to recover stolen vehicles that transport highly radioactive materials.

In Washington, our state Department of Health is aggressively implementing the Nuclear Regulatory Commission's (NRCs) increased control requirements on radiological materials. Despite our effort to prevent radioactive sources from being lost or stolen, it still happens. When these situations occur, we must have a mechanism to help quickly and efficiently recover these materials.

I believe global positioning satellite (GPS) technology is an effective and relatively inexpensive tool that will help when a vehicle with radioactive material is missing. In our state, a smaller radioactive source in a portable gauge was quickly recovered because the licensee had provided a cellular phone with a GPS tracking feature to its operator. When the operator did not return with the portable gauge, the licensee was able to locate the cell phone, the operator, the truck, and the portable gauge. If a device as small as a cell phone can be GPS-enabled, certainly a truck or even a radiography device can be similarly equipped.

We persuaded the licensee from the Everett incident to install GPS units in its vehicles. This licensee is from Texas, operating here under our recognition of its Texas license. My staff tells me that we cannot require our industrial radiography licensees or any other out-of-state licensee working here to do the same because of the NRC rules on compatibility and the potential effect on interstate commerce. Therefore, I encourage the NRC to consider adopting the use of GPS tracking as a national requirement for mobile or portable uses of highly radioactive sources. Another alternative is for the Commission to grant states the flexibility to impose more stringent requirements than required under NRC's increased controls. Allowing states to do so would clear the way for individual states to set GPS requirements as needed.

The Honorable Dale E. Klein

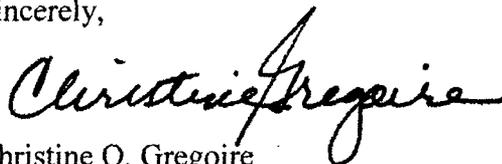
January 25, 2007

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I understand your staff is concerned that requiring GPS on these vehicles does not ensure that the radiological source or device will be found. I agree — GPS is not a perfect solution, however, the NRC's current rule has no provision to assist in recovery. These suggestions give law enforcement a significant advantage.

I want Washington State to be prepared to recover any missing radioactive material promptly. I hope that the NRC can take the lead on this issue. Thank you for your consideration of this request.

Sincerely,



Christine O. Gregoire  
Governor

cc: Edward McGaffigan, Jr., Commissioner, Nuclear Regulatory Commission  
Jeffrey S. Merrifield, Commissioner, Nuclear Regulatory Commission  
Gregory B. Jaczko, Commissioner, Nuclear Regulatory Commission  
Peter B. Lyons, Commissioner, Nuclear Regulatory Commission  
Michael Chertoff, Secretary, Department of Homeland Security  
Rick Perry, Governor of Texas  
Mary C. Selecky, Secretary, Washington State Department of Health

804

**From:** "Mackley, Hayden (GOV)" <Hayden.Mackley@GOV.WA.GOV>  
**To:** <vmb@nrc.gov>  
**Date:** Wednesday, February 21, 2007 2:02:07 PM

Please find attached a copy of a letter sent by Governor Christine Gregoire of Washington State to Chairman Klein and the other Commissioners on January 25, 2007. All letters were returned as it appears that radiation made the addresses on the envelopes unreadable. As it has already been some time since the letter was originally sent, could you please ensure that this is passed on to the Chairman and Commissioners as soon as possible.

Sincerely,

Hayden Mackley  
Office of Governor Christine Gregoire  
(360) 902-0392

**CC:** <ldl@nrc.gov>, <lpp@nrc.gov>, <jkr@nrc.gov>, <vai@nrc.gov>

CHAIRMAN REC'D  
07 FEB 21 PM 2:20