

December 20, 2007

Robert E. Rutkowski
2527 Faxon Court
Topeka, Kansas 66605-2086

Dear Mr. Rutkowski:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to the email, dated October 31, 2007, that you sent to NRC Chairman Klein regarding your concerns involving security at our Nation's commercial nuclear power facilities. Specifically, you expressed concerns regarding: 1) our recent affirmed amendment to Title 10 of the *Code of Federal Regulations* (10 CFR), Part 26, "Fitness for Duty Programs," 2) the potential for a licensee to retaliate against security officers bringing forth fitness-for-duty concerns, and 3) NRC's policy on referring allegations to licensees.

I note that the subject matter in your email was similar to that contained in a letter that the *Project On Government Oversight* (POGO), an independent nonprofit organization located in Washington DC, wrote to the NRC on October 31, 2007. We have been in correspondence and conversation with Ms. Danielle Brian, Executive Director, POGO, describing NRC actions to enhance the security at our Nation's commercial nuclear power plants and, in particular, improve security officer performance at these facilities. Therefore, in response to your email, I have enclosed for your information our most recent letter to POGO.

I want to assure you that security at nuclear power plants is of the utmost importance to the NRC and our ongoing review of security officer performance will be thorough and comprehensive. The NRC will also continue to evaluate and amend its regulations as necessary to provide reasonable assurance of public health and safety and the common defense and security. We remain confident that nuclear power plants continue to be among the best protected private sector facilities in the Nation and, through our inspection and oversight processes, the NRC is committed to ensuring strong security at these facilities. Should you require additional information or want to discuss any additional thoughts, please feel free to call my Deputy Director for our Division of Security Operations, Mr. Richard Correia, at 301-415-6828.

Sincerely,

/RA/

Roy P. Zimmerman, Director
Office of Nuclear Security and Incident Response

Enclosure: As stated

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Roy P. Zimmerman, Director
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