

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Jan 30, 2008 10:47

PAPER NUMBER: LTR-08-0053

LOGGING DATE: 01/29/2008

ACTION OFFICE: EDO

To: V. McCree, RII

AUTHOR: Linda Modica

cys: EDO
DEDMRS
DEDR
DEDIA
AO

AFFILIATION: TN

ADDRESSEE: NRC, Region II

SUBJECT: Req for paper copies of 2003-2007 inspection reports regarding NFS....req to be added to the dist list for all future inspection reports, notices of violation & lic response to cites violations re NFS...

ACTION: Appropriate

DISTRIBUTION: RF

LETTER DATE: 01/10/2008

ACKNOWLEDGED No

SPECIAL HANDLING: Made publicly available in ADAMS via EDO/DPC

NOTES:

FILE LOCATION: ADAMS

DATE DUE:

DATE SIGNED:



**SIERRA
CLUB**
FOUNDED 1892

Radiation Committee

Linda C. Modica, Chair, 266 Mayberry Road, Jonesborough, Tennessee 37659
TEL: [423] 676-2925 (m); [423] 753-9697 (h); EMAIL: Linda.C.Modica@mac.com

January 10, 2008

Fuel Facility Inspection Branch I
Division of Fuel Facility Inspection
NRC Region II
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW – Suite 23T85
Atlanta, Georgia 30303-8931

RE: (1) REQUEST FOR PAPER COPIES OF 2003-2007 INSPECTION REPORTS REGARDING NUCLEAR FUEL SERVICES, DOCKET NUMBER 70-143, LICENSE NUMBER SNM-124

(2) REQUEST TO BE ADDED TO THE DISTRIBUTION LIST FOR ALL FUTURE INSPECTION REPORTS, NOTICES OF VIOLATION & LICENSEE RESPONSES TO CITED VIOLATIONS REGARDING NUCLEAR FUEL SERVICES, DOCKET NUMBER 70-143, LICENSE NUMBER SNM-124

Dear Sir or Madam:

In today's Johnson City Press, the spokesman for NRC licensee Nuclear Fuel Services (NFS) of Erwin, Tennessee asserted that NRC had assessed fewer violations against NFS in 2007 compared to 2006:

"Treadway said all of the violations in the report were low level. Overall, he said the number of violations NFS had in 2007 were much lower than in 2006." (Johnson City Press, "NFS seeks NRC OK to amend its license", p. 1: <http://www.johnsoncitypress.com/Detail.php?Cat=LOCALNEWS&ID=61094>)

How can the public and the media verify such statements by an NRC licensee without equal access to NRC documents?

REQUEST #1.

Therefore, at your soonest convenience, please send to me via First Class Mail all NRC Inspection Reports (including any and all Notices of Violations) for 2003, 2004, 2005, 2006 and 2007 regarding Nuclear Fuel Services, Docket No. 70-143, License No. SNM-124. The address to which to mail paper copies of the 2003-2007 NFS Inspection Reports is:

**Linda Cataldo Modica
266 Mayberry Road
Jonesborough, TN 37659**

This five-year period will span the timeframe of the "Official Use Only" policy and will enable the public to compare the Inspection Reports covered-up by the OOU policy with those made available to the public prior to and following the overturn of NRC's secrecy policy. Inspection Reports for the entire 5-year period are needed to ensure that our analysis of NFS's recent operating history can be compared with NFS's public statements.

Considering the fact that Chairman Klein stated in his September 12, 2007 letter to Senator Thomas Carper that the

"Commission has approved a revised policy which will ensure appropriate material will be made publicly available and that appropriate sensitive material will be protected",

there should be no obstacle to the release of NFS Inspection Reports from your office.

Further, Acting Region II Administrator Victor McCree committed personally to me, as well as publicly, on September 17, 2007 in Erwin to provide the documents previously withheld due to the OOU policy.

REQUEST #2

Please add my name to the distribution list for all Inspection Reports, Notices of Violations, and NFS replies/contentions with respect to cited violations. The address to which to mail paper copies of future NRC reports and NFS responses is the same:

***Linda Cataldo Modica
266 Mayberry Road
Jonesborough, TN 37659***

FYI, similar requests are being made to your counterparts in the Technical Support Branch in Rockville who, as you know, also produce Inspection Reports and issue Notices of Violation regarding NFS.

Finally, under no circumstances can I receive these reports via facsimile or via electronic mail. Please ensure that only paper copies will be mailed to the specified address.

Thank you, in advance, for your dedication to serving the public's interest.

Respectfully requested,

Linda C. Modica

cc: ✓ NRC Chairman Dale Klein
Acting Region II Administrator Victor McCree
Congressman David Davis (TN-01)



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Radiation Committee

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January 10, 2008

Deborah A. Jackson, Chief
Technical Support Branch
Division of Fuel Cycle Safety and Safeguards
11555 Rockville Pike
Rockville, MD 20854

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Respectfully requested,

Linda C. Modica

cc: ✓ NRC Chairman Dale Klein
Acting Region II Administrator Victor McCree
Congressman David Davis (TN-01)

M Ms Linda C Modica
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Jonesborough TN 37659-6901

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12 JAN 2003 PM 3T



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