

EDO Principal Correspondence Control

FROM: DUE: 05/20/08

EDO CONTROL: G20080331
DOC DT: 05/06/08
FINAL REPLY:

Senator Norm Coleman
Senator Carl Levin

TO:

Chairman Klein

FOR SIGNATURE OF :

** PRI **

CRC NO: 08-0271

Chairman Klein

DESC:

Dirty Bomb Vulnerabilities - Materials Licensing
Procedures (EDATS: SECY-2008-0282)

ROUTING:

Borchardt
Virgilio
Mallett
Ash
Ordaz
Cyr/Burns
Zimmerman, NSIR
Schmidt, OCA
Bagley, OEDO

DATE: 05/09/08

ASSIGNED TO:

CONTACT:

FSME

Miller

SPECIAL INSTRUCTIONS OR REMARKS:

Template: SECY-017

E-RIDS: SECY-01

EDATS

Electronic Document and Action Tracking System

EDATS Number: SECY-2008-0282

Source: SECY

General Information

Assigned To: FSME

OEDO Due Date: 5/20/2008 5:00 PM

Other Assignees:

SECY Due Date: 5/22/2008 5:00 PM

Subject: Dirty Bomb Vulnerabilities - Materials Licensing Procedures

Description:

CC Routing: NSIR; OCA

ADAMS Accession Numbers - Incoming: NONE

Response/Package: NONE

Other Information

Cross Reference Number: G20080331, LTR-08-0271

Staff Initiated: NO

Related Task:

Recurring Item: NO

File Routing: EDATS

Agency Lesson Learned: NO

Roadmap Item: NO

Process Information

Action Type: Letter

Priority: Medium

Signature Level: Chairman Klein

Sensitivity: None

Urgency: NO

OEDO Concurrence: YES

OCM Concurrence: NO

OCA Concurrence: NO

Special Instructions:

Document Information

Originator Name: Senator Norm Coleman/Senator Carl Levin

Date of Incoming: 5/6/2008

Originating Organization: Congress

Document Received by SECY Date: 5/8/2008

Addressee: Chairman Klein

Date Response Requested by Originator: NONE

Incoming Task Received: Letter

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: May 08, 2008 13:57

PAPER NUMBER: LTR-08-0271 **LOGGING DATE:** 05/08/2008
ACTION OFFICE: EDO

AUTHOR: SEN Norm Coleman
AFFILIATION: CONG
ADDRESSEE: Dale Klein
SUBJECT: Dirty bomb vulnerabilities.

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

LETTER DATE: 05/06/2008
ACKNOWLEDGED: No
SPECIAL HANDLING: Commission Correspondence

NOTES:
FILE LOCATION: ADAMS

DATE DUE: 05/22/2008 **DATE SIGNED:**

EDO --G20080331

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United States Senate

COMMITTEE ON
 HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

WASHINGTON, DC 20510-6250

May 6, 2008

VIA U.S. MAIL & FACSIMILE (301/415-1757)

The Honorable Dale E. Klein
 Chairman
 U.S. Nuclear Regulatory Commission
 One White Flint North
 11555 Rockville Pike
 Rockville, Maryland 20852-2738

Dear Chairman Klein:

On July 12th, 2007, the U.S. Senate Permanent Subcommittee on Investigations published *Dirty Bomb Vulnerabilities*, a staff report detailing the Subcommittee's investigation into the Nuclear Regulatory Commission's ("NRC") materials licensing procedures. In an effort to bolster the NRC's ability to prevent radioactive materials from being used to create a dirty bomb, the staff report made the following recommendations to the NRC:

- (1) The NRC should reevaluate the apparent good-faith presumption that pervades its licensing process.
- (2) The NRC should regulate Category 3 sources more stringently. Specifically, the NRC should (i) physically inspect applicants' facilities *before* the issuance of a Category 3 materials license, and (ii) consider including Category 3 sources in the proposed National Source Tracking System.
- (3) The NRC should act quickly to establish a web-based licensing system to ensure that source materials can be obtained only in authorized amounts by legitimate users.

We understand that certain of the above recommendations have been referred to the Independent External Review Panel (IERP), the Pre-Licensing Guidance Working Group, and the Materials Program Working Group. Please provide a written, detailed description of what the NRC has done to address each of the Subcommittee's recommendations. It would be particularly helpful to know whether and how IERP recommendations will be implemented as well as what progress, plans of action, and timetables the relevant working groups have made.

Thank you for your assistance. Please have your staff direct any questions to Tim Terry, Counsel to the Minority, at 202/224-3721.

Sincerely,


 Norm Coleman

Ranking Minority Member
 Permanent Subcommittee on Investigations



Carl Levin
 Chairman
 Permanent Subcommittee on Investigations