

April 7, 2011

The Honorable Jeff Fortenberry
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Fortenberry:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of March 7, 2011, requesting that the NRC perform a nuclear proliferation assessment for commercial applications for enrichment and reprocessing technologies. Thank you for your continuing concern on this important issue. Since I last wrote to you on this topic on August 25, 2010, the NRC has docketed a petition for rulemaking (PRM) submitted by the American Physical Society (Docket PRM-70-9) and requested public comments by March 8, 2011. The PRM requests that a rulemaking be instituted to require the NRC to perform a nuclear proliferation assessment for licensing actions under Title 10 of the *Code of Federal Regulations* (10 CFR) Part 70, "Domestic Licensing of Special Nuclear Material." The PRM will be considered by the Commission in accordance with NRC regulations. Your letter has been added to the docket for this PRM and will be considered along with other comments received.

I assure you that the NRC will give this PRM careful consideration and will continue to regulate nuclear materials to ensure protection of public health and safety and the environment, promotion of the common defense and security, and fulfillment of U.S. obligations in nonproliferation and international agreements. If you have any further questions, please contact me or Ms. Rebecca Schmidt, Director of the Office of Congressional Affairs, at (301) 415-1776.

Sincerely,

/RA/

Gregory B. Jaczko

Identical letter sent to:

The Honorable Jeff Fortenberry
United States House of Representatives
Washington, D.C. 20515

The Honorable Adam Schiff
United States House of Representatives
Washington, D.C. 20515