

August 1, 2014

The Honorable Edward J. Markey
United States Senate
Washington, DC 20510

Dear Senator Markey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letters of May 20, 2014 and June 16, 2014, seeking information regarding a “job shadow” program that placed Chinese personnel at U.S. nuclear plants. The job shadow program was a private sector promotional activity not under the control of the NRC. The NRC had no role in the program’s development or administration. As such, the utilities involved would be the best and most direct source of information on the steps they took to authorize access to their nuclear power plants.

In this regard, NRC power reactor licensees must comply with 10 CFR Part 73, which details the requirements for access authorization that must be implemented and conducted for all employees, contractors and visitors. The Part 73 regulatory requirements governing licensee access authorization programs include criteria for conducting background investigations, criminal history checks, drug testing, employment verification, psychological assessments, and verification of true identity. Additionally, licensees are required to implement an effective insider mitigation program. Taken together, these requirements comprise a comprehensive and ongoing process designed to provide high assurance that individuals working at nuclear power plants are trustworthy and reliable. As part of NRC’s normal oversight process, licensees’ access authorization programs are reviewed to ensure the adequacy of their implementation of these requirements.

As you note in your June 16, 2014 letter, the NRC Inspector General (IG) conducted an audit in 2010 of the NRC’s oversight of the access authorization program for nuclear power plants. I have referred your request for a copy of the IG’s 2010 audit report on the NRC’s oversight of nuclear power plants’ access authorization programs to the IG.

I hope that you find this response helpful. If you have additional questions concerning the NRC’s access authorization requirements, please contact me or Amy Powell, Acting Director of the Office of Congressional Affairs, at 301-415-1776.

Sincerely,

/RA/

Allison M. Macfarlane