

EDO Principal Correspondence Control

FROM: DUE: 12/17/01 EDO CONTROL: G20010563
DOC DT: 12/11/01
FINAL REPLY:

Representative W. J. "Billy" Tauzin
Representative John D. Dingell

TO:

Chairman Meserve

FOR SIGNATURE OF : ** PRI ** CRC NO: 01-0654

Chairman

DESC:

Security of Radioactive Materials Imported or
Obtained by NRC Regulated Materials Licensees

ROUTING:

Travers
Paperiello
Kane
Norry
Craig
Burns/Cyr
Collins, NRR
Wessman, IRO
ERCT
Schum, OEDO
Davis, NMSS

DATE: 12/12/01

ASSIGNED TO: CONTACT:
NMSS Virgilio

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate response with ERCT.

**OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET**

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PAPER NUMBER:	LTR-01-0654	LOGGING DATE:	12/11/2001
ACTION OFFICE:	EDO		
AUTHOR:	John Dingell		
AFFILIATION:	REP		
ADDRESSEE:	Richard Meserve		
SUBJECT:	Security of radioactive materials imported or obtained by NRC regulated materials licensees		
ACTION:	Signature of Chairman		
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LETTER DATE:	12/11/2001		
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ONE HUNDRED SEVENTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

W.J. "BILLY" TAUZIN, LOUISIANA,
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December 11, 2001

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DAVID V. MARVENTANO, STAFF DIRECTOR

The Honorable Richard A. Meserve
 Chairman
 Nuclear Regulatory Commission
 One White Flint North Building
 11555 Rockville Pike
 Rockville, Maryland 20852

Dear Chairman Meserve:

As part of the Energy and Commerce Committee's examination of the preparedness of the United States to address domestic terrorism, we are examining the availability and movement of radioactive materials into and within the United States. Pursuant to this review, we are writing to express our concerns regarding potential weaknesses with respect to the security of radioactive materials that may be imported or otherwise obtained by Nuclear Regulatory Commission (NRC) regulated materials licensees.

As you know, the Committee is closely examining the Commission's top-to-bottom review of security with respect to all licensed activities. As part of that review, we ask you to immediately consider the following actions to better ensure that radioactive materials of significant quantities and types ordered by NRC materials licensees do not fall into the wrong hands and pose a threat to public health and safety. First, we believe immediate background checks should be conducted for any foreign national who has received an NRC materials license over the past three years, or who has an application pending, particularly those licensees that have ordered or received nuclear materials. Second, we believe NRC should commence expedited inspections of the physical premises of all materials licensees that have not been inspected to date, and delay the effective date of any new license until a physical inspection verifies that the facility is located at the address specified on the license application and verifies that the facility is, in fact, what it purports to be. These requests pertain to materials licensees, not commercial power plant licensees.

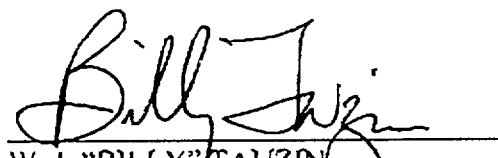
We are also concerned that the U.S. Customs Service (USCS) and the NRC have not developed a system that ensures that all shipments of nuclear materials that physically enter the United States from outside of the Customs territory are ordered by, and delivered to, a licensed recipient at the address of the facility specified in the license. We understand that there is no

The Honorable Richard A. Meserve
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effective interface between the NRC's Licensing Tracking System (LTS) and the USCS Automated Brokerage System. We ask that you immediately develop a system that ensures that the delivery of imported radioactive materials is only to licensed recipients at the premises cited in the license. By copy of this letter, we are making the same request to the USCS.

Please provide your response to these concerns no later than Friday, December 21, 2001. If you have any questions, please contact us, or have your staff contact Dwight Cates of the majority staff at (202) 226-2424, or David Nelson of the minority staff at (202) 226-3400. Thank you for your prompt attention to these matters.

Sincerely,


W. J. "BILLY" TAUZIN
CHAIRMAN


JOHN D. DINGELL
RANKING MEMBER

cc: The Honorable James C. Greenwood, Chairman
Subcommittee on Oversight and Investigations

The Honorable Peter Deutsch, Ranking Member
Subcommittee on Oversight and Investigations

The Honorable Robert C. Bonner, Commissioner
United States Customs Service