

June 30, 2010

The Honorable Barbara Boxer
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, D.C. 20510

Dear Madam Chairman:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am pleased to submit the 2009 "Report to Congress on the Security Inspection Program for Commercial Power Reactor and Category I Fuel Cycle Facilities: Results and Status Update." Section 651(e) of the Energy Policy Act of 2005 requires the NRC to submit a report to Congress, in both classified and unclassified form, that describes the results of each security response evaluation (i.e., force-on-force (FOF) exercises) conducted and any relevant corrective actions taken by a licensee during the previous year. I am also providing additional information regarding the overall security and safeguards performance of the commercial nuclear power industry and Category I (CAT I) fuel cycle facilities to keep you informed of the NRC's efforts to oversee the protection of the Nation's civilian nuclear power infrastructure and strategic special nuclear material against terrorist attacks. Conducting FOF exercises and implementing the security inspection program are two of a number of regulatory oversight activities the NRC performs to ensure the secure use and management of radioactive and nuclear materials by the commercial nuclear power industry. The Safeguards Information and Classified portions to this report will be transmitted under separate cover.

During calendar year 2009, the NRC conducted 179 security inspections (of which 24 were FOF inspections) at nuclear power reactors and CAT I fuel cycle facilities. These inspections identified 180 findings, of which 168 were of very low security significance and 12 were of low-to-moderate security significance. The Safeguards Information and Classified portions to this report discuss the results of the security inspections conducted at commercial nuclear power reactors and CAT I fuel cycle facilities. Whenever a finding is identified during a security inspection, the NRC ensures that the licensee implements adequate compensatory measures to correct the problem. Compensatory measures can include, for example, additional armed personnel and/or physical security measures to strengthen a licensee's response capabilities.

The NRC will make available for members of Congress, or Congressional Oversight Committee staff, the unclassified, Safeguards Information, and Classified inspection reports, as appropriate, for any FOF inspection in their State or Congressional District through the NRC's Office of Congressional Affairs. The same offer will be extended, as appropriate, under existing protocols and requirements, to Governor-appointed State Liaison Officers.

Through our inspection and oversight processes, the NRC is committed to ensuring that licensees continue to provide high assurance that their facilities remain secure.

Please do not hesitate to contact me if you need additional information.

Sincerely,

/RA/

Gregory B. Jaczko

Enclosure: As stated

cc: Senator James M. Inhofe

Identical letter sent to:

The Honorable Barbara Boxer
Chairman, Committee on Environment
and Public Works
United States Senate
Washington, D.C. 20510
Dear Madam Chairman:
cc: Senator James M. Inhofe

The Honorable Henry A. Waxman
Chairman, Committee on Energy
and Commerce
United States House of Representatives
Washington, D.C. 20515
Dear Mr. Chairman:
cc: Representative Joe Barton

The Honorable Edward J. Markey
Chairman, Subcommittee on Energy and Environment
Committee on Energy and Commerce
United States House of Representatives
Washington, D.C. 20515
Dear Mr. Chairman:
cc: Representative Fred Upton

The Honorable Thomas R. Carper
Chairman, Subcommittee on Clean Air
and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510
Dear Mr. Chairman:
cc: Senator David Vitter