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SUBCOMMITTEE ON ENERGY CONSERVATION
AND POWER
OF THE
COMMITTEE ON ENERGY AND COMMERCE
WASHINGTON, DC 20515

June 17, 1985

The Honorable Nunzio J. Palladino
Chairman
Nuclear Regulatory Commission
1717 H Street, NW
Washington, D. C. 20555

Dear Chairman Palladino:

We have long supported efforts by the Department of Energy and the Nuclear Regulatory Commission to develop and use nuclear fuels that reduce the risk of theft or diversion of weapons-grade materials. We have been particularly supportive of DOE's Reduced Enrichment for Research and Test Reactors (RERTR) program and the NRC's efforts aimed at converting non-power reactors to the low-enriched fuels RERTR has been developing. Converting research and test reactors to fuels which could not be readily used to make a nuclear explosive is a very important initiative which continues to have our strong support.

We were therefore surprised to learn that despite the Commission's two previous decisions to proceed with a rule requiring these reactors to convert from weapons-grade fuels, and despite the overwhelming public support for the rule shown in the public comment period, the NRC staff is once again opposing your declared intent to proceed with the conversion rule.

We cannot emphasize enough the importance of remaining steadfast in your commitment to the conversion rule. A reversal by the Commission of this important U.S. initiative will send precisely the wrong signal to the rest of the world at the very moment in which official delegations are converging on Geneva to review the performance of governments party to the Non-Proliferation Treaty. Moreover, such a retreat would probably doom the entire RERTR effort, leaving no reactors converted worldwide and allowing continued use of Highly Enriched Uranium in situations where it is neither necessary nor secure.

C2-11-9

Honorable Nunzio J. Palladino
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The Congress has demonstrated its commitment in this area by funding the first stages of conversion; we are confident the Congress will fund subsequent stages if the Commission does not waver in its commitment and goes forward with the conversion rule.

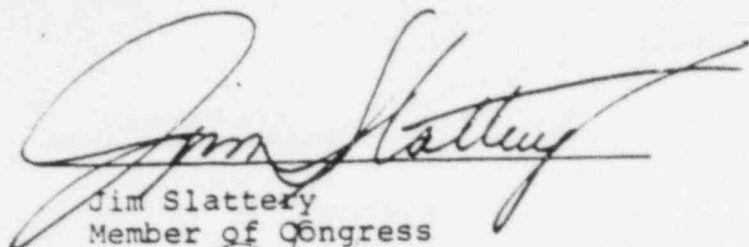
Sincerely,


Ed Markey

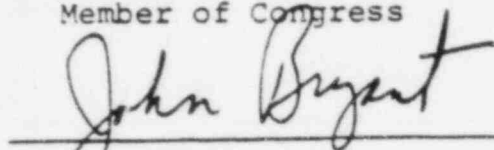
Edward J. Markey
Chairman

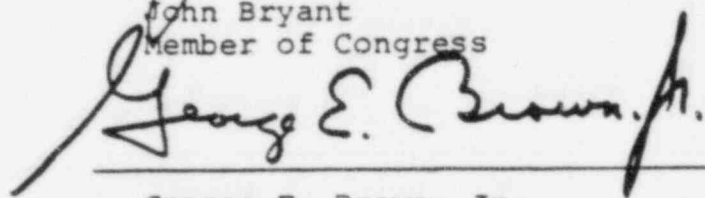
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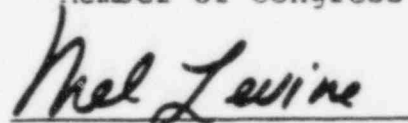
cc: Commissioner Lando W. Zech
Commissioner Frederick M. Bernthal
Commissioner James K. Asselstine
Commissioner Thomas M. Roberts

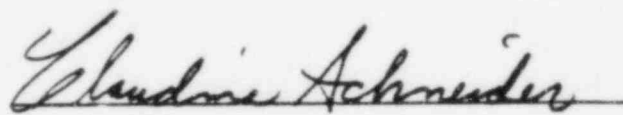

Jim Slattery
Member of Congress

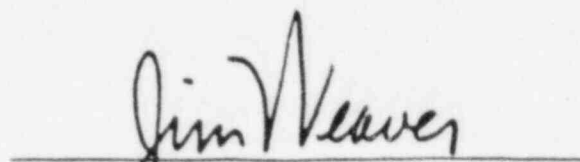

Dennis E. Eckart
Member of Congress

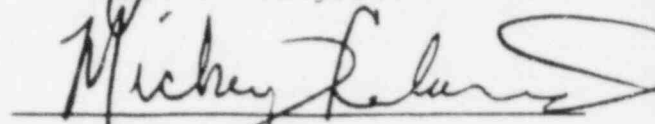

John Bryant
Member of Congress

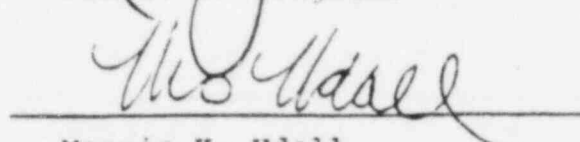

George E. Brown, Jr.
Member of Congress

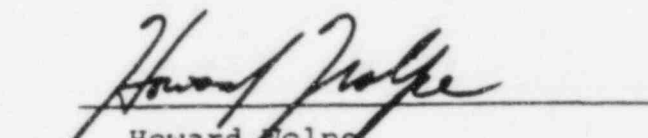

Mel Levine
Member of Congress

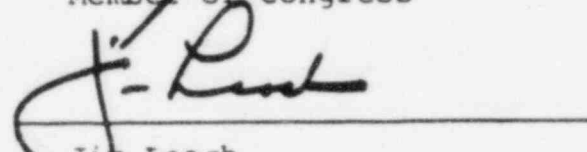

Claudine Schneider
Member of Congress


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Member of Congress

RD 3'

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TOM HARKIN, IOWA

United States Senate

COMMITTEE ON APPROPRIATIONS
WASHINGTON, DC 20510

June 18, 1985

J. KEITH KENNEDY, STAFF DIRECTOR
FRANCIS J. SULLIVAN, MINORITY STAFF DIRECTOR

The Honorable Nunzio Palladino
Chairman
Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Mr. Chairman:

Few issues facing this country are more important than the need to stop the spread of nuclear weapons and weapons-grade materials to other nations and to potential nuclear terrorists. An important element of that effort is an attempt to minimize, to the extent possible, the use of weapons-grade materials, materials which, if stolen or diverted in sufficient quantities, can be made into a nuclear bomb.

For this reason, many of us in Congress have been long-time supporters of DOE's Reduced Enrichment for Research and Test Reactor (RERTR) program, which has been developing safer low enriched fuels for non-power reactors. RERTR has developed, and continues to develop, advanced fuels for non-power reactors that should make it possible for virtually all such reactors here and abroad to no longer use weapons-grade materials. We recognize that the Commission has been supportive of RERTR.

In the past, the Commission's policy reflected a move away from the use of Highly Enriched Uranium (HEU). Your August 1982 Policy Statement, committing the NRC to reducing, "to the maximum extent possible" the use of HEU in domestic and foreign research reactors was an important signal worldwide about U.S. resolve to deal with this important problem. In that Statement of Policy, you indicated that foreign reactor operators had been slow to convert to Low Enriched Uranium (LEU), and that you would take actions in the near future to encourage both domestic and foreign conversion from weapons-grade fuels to the far safer LEU fuels being developed by RERTR.

Last year, the Commission decided to go forward with a rule requiring such conversions to LEU. Congress showed support by providing Congressional funding for the conversions, so universities would not be faced with economic hardship in moving toward LEU fuels as part of this national policy. We are committed to assisting in ensuring the remaining funds are provided to complete the conversion process.

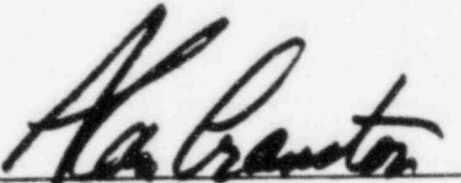
If the Commission, however, were to overturn its previous posture in favor of the conversion rule and not encourage conversions

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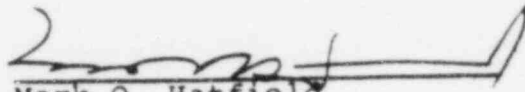
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to LEU fuel in reactors for which it has licensing authority, the entire RERTR reduced enrichment program worldwide would be at risk. For the Commission to reverse its long-held policy and not encourage conversions in reactors for which it is responsible will be a very serious blow to international efforts to reduce HEU use worldwide. It will be very difficult, if not impossible, to get other nations to convert to LEU if we do not convert ourselves. We respectfully suggest that a failure of the Commission to send a clear signal on this matter would likely have serious international ramifications inimical to the long-standing U. S. interests in reducing the risk of spread of nuclear weapons and nuclear weapons material to other nations.

Sincerely,



Alan Cranston
United States Senator



Mark O. Hatfield
United States Senator

CC: The Honorable James Asselstine
The Honorable Lando Zech
The Honorable Thomas Roberts
The Honorable Frederic Bernthal