



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

November 9, 2004

Danielle Brian  
Executive Director  
Project On Government Oversight  
666 11<sup>th</sup> Street, NW  
Suite 500  
Washington, D.C. 20001-4542

SUBJECT: ALLEGATION NO. NRR-2004-A-0039

Dear Ms. Brian:

This letter refers to the concerns you submitted via email to the U.S. Nuclear Regulatory Commission (NRC) on October 5, 2004. You expressed concerns regarding security at NRC regulated facilities. After review of the issues raised, the NRC has determined they fit into the category of allegations and has placed them into the NRC allegation process for resolution.

The enclosure to this letter documents your concerns as we understand them. We have initiated actions to examine the facts and circumstances on the basis of our understanding of your concerns. If the description of your concerns in the enclosure is not accurate, please contact me so that I can assure that we correctly understand your concerns before we continue our review.

The NRC brochure, "Reporting Safety Concerns to the NRC," which contains information that is helpful in understanding our process for review of safety concerns has been previously provided to you. If you would like another copy we can either send one at your request or you may electronically access the brochure on the NRC public web site at:

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/brochures/br0240/r1/>

An evaluation of your concerns will normally be conducted within 6 months, although complex issues may take longer. You will be informed of the results of our review.

Thank you for notifying us of your concerns. We will advise you when we have completed our review of this matter. However, should you have any questions or comments during the interim regarding this matter, please call me toll-free at 1-800-368-5642.

Sincerely,

A handwritten signature in cursive script that reads "Gregory C. Cwalina".

Gregory C. Cwalina, Senior Allegations Coordinator  
Plant Support Branch  
Division of Inspection Program Management  
Office of Nuclear Reactor Regulation

Enclosure: As stated

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

# **STATEMENT OF CONCERNS**

## **ALLEGATION NO. NRR-2004-A-0039**

### **CONCERN 1**

POGO has a general concern with the NRC's approach to security at Research and Test Reactors (RTRs) in regards to the potential for radiological sabotage, especially with larger wattage RTRs.

### **CONCERN 2**

POGO is concerned that if someone with malicious intent managed to steal material from two Category 2 facilities, they could combine it to become a Category 1 source.

### **CONCERN 3**

POGO is concerned that facilities turned over to Agreement States, such as large irradiators, are inadequately protected due to a longstanding belief that there is no threat and therefore minimal security.

**ENCLOSURE**