



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

March 3, 2005

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

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

Dear Ms. Brian:

The NRC staff has reviewed your three concerns regarding issues at Research and Test Reactors (RTRs), special nuclear materials in RTRs, and irradiators. The NRC staff has determined that your issues have been or are being addressed and resolved. Since resolution of these issues is considered sensitive information, details cannot be discussed in this closure letter.

While we are fully committed to our goal of ensuring openness in our regulatory process, we must balance that goal with the more immediate need of ensuring the continued safety and secure operation of nuclear facilities in our country. Normally, when we have completed our review of an allegation, we provide the concerned individual with information on whether the concern was substantiated and how the NRC staff evaluated the concern. However, due to the nature of the security-related issues associated with your concerns and to ensure that we are not unnecessarily releasing information that would reveal any potential security-related vulnerabilities, we cannot provide you with further information on this matter. At our meeting on February 14, 2005, we were able to share some additional details on these issues consistent with the sensitivity of the information. Please be assured that the NRC staff has taken or is taking necessary actions to address potential inadequacies related to security that may have been identified during the course of NRC staff's review of your concerns.

Thank you for informing us of your concerns. We take our safety responsibilities to the public very seriously and will continue to do so within the bounds of our lawful authority. Unless the NRC receives additional information that suggests that our conclusions should be altered, we plan no further action on this matter. Should you have any additional questions, or if we can be of further assistance in this matter, please call Mr. Greg Cwalina, senior allegations coordinator, or me, at (800) 368-5642.

Sincerely,

A handwritten signature in black ink, appearing to read "Glenn M. Tracy", followed by a long horizontal line extending to the right.

Glenn M. Tracy, Director
Division of Nuclear Security
Office of Nuclear Security and Incident Response