

August 22, 2007

The Honorable James M. Inhofe
Ranking Member, Committee on
Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Senator Inhofe:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of July 13, 2007, regarding your concerns about the agency's policy of withholding information from the public, specifically in regard to a significant event at Nuclear Fuel Services (NFS). The Commission is currently reconsidering its policy and criteria for withholding information from the public that is related to regulatory activities at the BWX Technologies (BWXT) and NFS nuclear facilities.

The Commission's goal is to strike an appropriate balance between a regulatory process that is open to the public and the protection from disclosure of sensitive information which would be helpful to potential adversaries. As an initial step, on July 19, 2007, the agency made publicly available a Confirmatory Order issued to NFS on February 21, 2007, that was a result of an Enforcement Alternative Dispute Resolution process. This Order will be published in the *Federal Register* to provide an opportunity for members of the public to request a hearing. The Commission has also published on the NRC website a redacted transcript and staff requirements memorandum from a closed meeting held on May 30, 2007, between the Commission and NFS management.

I want to assure you that maintaining the public's confidence in the NRC's safety role is of the highest priority to the Commission. The NRC staff is working very hard to protect public health and safety while keeping agency processes as transparent as possible.

I appreciate the opportunity to respond to your letter. Please let me know if you wish to discuss this matter further.

Sincerely,

/RA/

Dale E. Klein