

## **POLICY ISSUE INFORMATION**

December 8, 2010

SECY-10-0159

FOR: The Commissioners

FROM: Charles L. Miller, Director  
Office of Federal and State Materials  
and Environmental Management Programs

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION IMPLEMENTATION  
PLAN FOR THE RADIATION SOURCE PROTECTION AND SECURITY  
TASK FORCE REPORT

### PURPOSE:

The purpose of this paper is to provide the Commission with the updated "U.S. Nuclear Regulatory Commission (NRC) Implementation Plan for the Radiation Source Protection and Security Task Force Report." This plan highlights the interagency efforts in the area of radiation source protection and security. This paper does not address any new commitments or resource implications.

### SUMMARY:

The Energy Policy Act of 2005 (EPAct) created an interagency task force on radiation source protection and security under the lead of the NRC. After the receipt of the first draft report by the Radiation Source Protection and Security Task Force (Task Force), the Commission directed the staff in the Staff Requirements Memorandum on COMSECY-06-0032, "Draft Report to the President and the U.S. Congress on the Radiation Source Protection and Security Task Force Report," dated August 3, 2006, to develop a plan, including prioritization, cost estimates, and the staff view on how to proceed with implementation of the recommendations in the report for which NRC has responsibility.

CONTACT: Kim Lukes, FSME/DMSSA  
301-415-6701

The staff submitted the first implementation plan to the Commission in SECY-06-0231, "NRC Implementation Plan for the Radiation Source Protection and Security Task Force Reporting," dated November 22, 2006. This implementation plan addressed the recommendations and actions from the Task Force report that was provided to the President and U.S. Congress on August 15, 2006. The staff used this implementation plan to organize and track the efforts related to the Task Force recommendations and actions.

The staff updates the implementation plan annually. These updates are provided to the Commission on an annual basis to provide the Commission with information on the implementation of the Task Force recommendations and actions.

#### BACKGROUND:

The EPAct required the establishment of an interagency task force on radiation source protection and security under the leadership of the NRC. The EPAct mandates that not later than 1 year after the date of the legislative's enactment, and not less than once every 4 years thereafter, the Task Force shall submit to the President and Congress a report and recommendations on materials source security. The report includes an evaluation of the security of radiation sources in the United States, with a specific focus on potential terrorist threats, including acts of sabotage, theft, or use of a radiation source in a radiological dispersal device. In 2006, the NRC submitted the first Task Force report to the President and Congress. The report contains 10 recommendations and 18 actions that address security and control of radioactive sources. In accordance with the EPAct, the Task Force also submitted its quadrennial report to the President and Congress on August 11, 2010. This report is publicly available in the Agencywide Documents Access & Management System (ADAMS) (ML102230141). This report captures the many accomplishments achieved over the past 4 years, including the closeout of a number of significant recommendations and actions from the first report. Eleven new recommendations are proposed in the 2010 report. Three of the recommendations and actions, if carried out, are identified as possibly impacting or necessitating legislative change.

#### DISCUSSION:

For the past 4 years, the Task Force has successfully guided the implementation activities associated with the Task Force report recommendations evident by the progress noted in the recently-issued 2010 report. The Task Force, however, has not yet had the opportunity to meet and discuss the implementation plans for the 2010 Task Force recommendations. Similar to what was done in 2006, the Task Force plans to meet in January 2011 to decide upon the implementation plans and assign lead responsibility for each of the new recommendations in the 2010 report, as well as address plans for the open recommendations and actions from the 2006 report. Before these activities can begin, the Task Force is reflecting upon the lessons learned from the report development process in order to prepare for an improved and more streamlined process and schedule for the next report in 2014.

Also, initially, the Task Force intends to proactively generate high-level government attention on the 2010 report and the challenges highlighted in that report. The staff anticipates receiving feedback on the issues presented in the report on improving radiation source protection and security. Accordingly, the Task Force plans to dedicate its attention to respond to this feedback. Once the Task Force has accomplished this task, the Task Force will move forward with the implementation of the recommendations at its next meeting in January 2011.

Therefore, the enclosed NRC implementation plan currently only provides the status of the 2006 Task Force recommendations and actions and only introduces the new 2010 Task Force recommendations. As noted above, the Task Force intends to meet in January 2011 to develop an implementation strategy for the new 2010 recommendations. This strategy will address issues that could complicate implementation, lead offices, resource estimates, and task breakdowns for each of the new recommendations from the 2010 report. The implementation decisions that will be made in regard to the new and open recommendations and actions will continue to be maintained in the implementation plan once the Task Force has had the opportunity to make these decisions. The plan will remain as a living publicly available document in ADAMS (ML102560440). Recognizing that implementation of certain new recommendations could have an impact on current NRC policy or budget, such as implementation of 2010 Recommendation 2 which could involve policy decisions and need for significant resources, the staff will engage the Commission, as early as possible, through existing processes. However, the staff would like the Task Force to initially discuss all of these new recommendations before elevating issues relating to the implementation of the recommendations.

#### RESOURCES:

This is the first update of the implementation plan which highlights the interagency efforts in the area of radioactive source protection and security and includes the 11 new recommendations that were identified in the quadrennial report that was provided to the President and Congress in 2010. These new recommendations are not addressed by the current budget. Resources for these unbudgeted recommendations will be reallocated, if needed, from lower priority activities or addressed through the Planning, Budgeting, and Performance Management process.

#### COORDINATION:

The Office of the General Counsel has reviewed this paper and has no legal objection.

***/RA Jennifer Golder Acting for/***

Charles L. Miller, Director  
Office of Federal and State Materials  
and Environmental Management Programs

Enclosure:  
NRC Implementation Plan for the Radiation  
Source Protection and Security Task  
Force Report

Also, initially, the Task Force intends to proactively generate high-level government attention on the 2010 report and the challenges highlighted in that report. The staff anticipates receiving feedback on the issues presented in the report on improving radiation source protection and security. Accordingly, the Task Force plans to dedicate its attention to respond to this feedback. Once the Task Force has accomplished this task, the Task Force will move forward with the implementation of the recommendations at its next meeting in January 2011.

Therefore, the enclosed NRC implementation plan currently only provides the status of the 2006 Task Force recommendations and actions and only introduces the new 2010 Task Force recommendations. As noted above, the Task Force intends to meet in January 2011 to develop an implementation strategy for the new 2010 recommendations. This strategy will address issues that could complicate implementation, lead offices, resource estimates, and task breakdowns for each of the new recommendations from the 2010 report. The implementation decisions that will be made in regard to the new and open recommendations and actions will continue to be maintained in the implementation plan once the Task Force has had the opportunity to make these decisions. The plan will remain as a living publicly available document in ADAMS (ML102560440). Recognizing that implementation of certain new recommendations could have an impact on current NRC policy or budget, such as implementation of 2010 Recommendation 2 which could involve policy decisions and need for significant resources, the staff will engage the Commission, as early as possible, through existing processes. However, the staff would like the Task Force to initially discuss all of these new recommendations before elevating issues relating to the implementation of the recommendations.

#### RESOURCES:

This is the first update of the implementation plan which highlights the interagency efforts in the area of radioactive source protection and security and includes the 11 new recommendations that were identified in the quadrennial report that was provided to the President and Congress in 2010. These new recommendations are not addressed by the current budget. Resources for these unbudgeted recommendations will be reallocated, if needed, from lower priority activities or addressed through the Planning, Budgeting, and Performance Management process.

#### COORDINATION:

The Office of the General Counsel has reviewed this paper and has no legal objection.

***/RA Jennifer Golder Acting for/***

Charles L. Miller, Director  
Office of Federal and State Materials  
and Environmental Management Programs

Enclosure:  
NRC Implementation Plan for the Radiation  
Source Protection and Security Task  
Force Report

WITS 200700044/EDATS: SECY-2010-0140/FSME201000214, WITS 200900097/EDATS: SECY-2010-0583/FSME201000409,  
WITS 200900094/EDATS: SECY-2010-0258/FSME201000293, and WITS 200900092/EDATS: SECY-2010-0363/FSME201000307

**ML103050432**

OFC	MSSA	MSSA	MSSA	MSSA	NSIR	OGC	CFO	TechEd	FSME
NAME	KLukes	EQuinones	TReis	CEinberg for RLewis	RCorreia	MYoung	GPeterson	PTressler for CPoland	CMiller JGolder for
DATE	11/02/10	11/04/10	11/26/10	11/29/10	11/19/10	11/22/10	12/7/10	12/2/10	12/8/10

**OFFICIAL RECORD COPY**