

1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION
3 BEFORE THE ATOMIC SAFETY AND LICENSING BOARD
4

5 In the Matter of)
6 THE REGENTS OF THE UNIVERSITY)
7 OF CALIFORNIA)
8 (UCLA Research Reactor))
9 _____)

Docket No. 50-142
(Proposed Renewal of
Facility License No. R-71)

April 21, 1982

10
11 AFFIDAVIT OF MICHAEL L. ROSE

12 STATE OF CALIFORNIA)
13) ss.
14 COUNTY OF LOS ANGELES)

15 I, MICHAEL L. ROSE, being duly sworn, depose and state as
16 follows:

17 1. I have twice requested permission to tour the UCLA nuclear
18 reactor.

19 2. In both cases, I was permitted to tour the facility, and
20 in both cases I was permitted to take as many photographs as I
21 wished. No items or areas I wished to photograph were denied me;
22 No conditions were placed on my tour or my photographing; and,
23 in both cases, I left the reactor facility with the exposed film.
24 No conditions whatsoever were placed on my use of said film.

25 3. The first occasion involved filming with a movie camera. I
26 shot two fifty-foot rolls of film, consisting of, roughly, a total
27 of 6000 frames.

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1 4. During the movie filming, I was permitted to shoot in the
2 control room and the reactor room. Nothing I wished to shoot was
3 disallowed; no conditions were established or expressed.

4 5. During the movie filming in the reactor room, reactor
5 operator Charles Ashbaugh demonstrated how to remove shield blocks
6 from the top of the reactor and how to remove material from the
7 reactor core. I believe that he was demonstrating how to remove
8 fuel from the core in a fuel loading/unloading operation; however,
9 he could have been demonstrating how to remove samples from the
10 core. In either case, Mr. Ashbaugh's voluntary demonstration
11 involved removal of some of the top shielding blocks and simulated
12 the removal of something from the core.

13 6. While in the reactor room, no attempt was made to prevent
14 my photographing any aspect of the security system for the reactor.

15 7. I was not given a film badge for my tour.

16 8. The tour occurred simply by my showing up at the Nuclear
17 Energy Lab, requesting permission to film parts of the reactor
18 facility, and being allowed to do so. The NEL personnel were
19 most helpful in arranging for me to shoot the film. This occurred
20 in the spring of 1979.

21 9. In 1981 a friend and I went to NEL, asked for a tour and
22 for permission to take still photographs, which was given. On
23 this occasion I was given a film badge but, again, no restrictions
24 whatsoever were placed on what we could see or photograph. We took
25 photos of the control room and of the reactor room. We were allowed
26 to leave with the exposed film. We still possess the negatives and
27 prints from that film.

28 /////

1 10. Although I am not certain of the exact date of my second
2 tour of the facility, one of the photographs we took on the day
3 of the tour shows a photograph of Daniel Hirsch, clipped from the
4 UCLA Daily Bruin, posted to a sign which reads "Caution, Pulserad
5 Firing;" Mr. Hirsch's finger points to part of the sign, which
6 reads, "Date: 3/27/81, Time: 8:30 a.m."

7 11. I have no security clearance. I was not asked at any time
8 in either of the above-described tours to refrain from photographing
9 any area or item, nor to refrain from showing any of the photographs
10 or film to anyone else. In short, no conditions whatsoever were
11 placed on my filming or photographing.

12 I declare under penalty of perjury that the foregoing is true
13 and correct.

14 Executed this ____ day of April, 1982, at Los Angeles,
15 California.

16 _____
17 Michael L. Rose
18
19
20

STATE OF CALIFORNIA

COUNTY OF _____ } SS.

On _____ before me,
the undersigned, a Notary Public in and for said County and State,
personally appeared _____

_____, known to me
to be the person _____ whose name _____ subscribed to the
within instrument and acknowledged that _____ executed the
same.



FOR NOTARY SEAL OR STAMP



UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)	Docket No. 50-142
THE REGENTS OF THE UNIVERSITY)	(Proposed Renewal of
OF CALIFORNIA)	Facility License No. R-71)
(UCLA Research Reactor))	April 25, 1982

DECLARATION OF WENDY SCHNELKER

I, Wendy Schnelker, state as follows:

1. I, upon certain occasions, provide clerical assistance to the Committee to Bridge the Gap.

2. I was provided, by Daniel O. Hirsch, President of the Committee to Bridge the Gap, a copy of a tape of which he indicated was a recording of the February 9, 1982 discovery conference between the Applicant and the Intervenor, and was asked to transcribe portions thereof, which I completed.

3. The transcript provided represents a true and accurate rendition of those sections of the tape to the best of my knowledge and belief.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 25, 1982.


Wendy Schnelker

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of

THE REGENTS OF THE UNIVERSITY
OF CALIFORNIA

(UCLA Research Reactor)

Docket No. 50-142

(Proposed Renewal of
Facility License)

April 26, 1982

DECLARATION OF DANIEL O. HIRSCH

I, Daniel O. Hirsch, say:

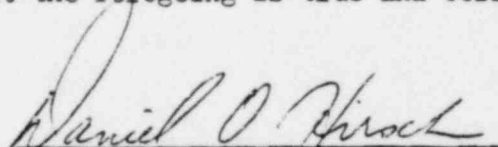
1. I am the President of the Committee to Bridge the Gap, Intervenor in the above-captioned proceeding, and am currently representing CBG as a pro se litigant.
2. I participated in a discovery conference, on behalf of CBG, at which were present Mr. Glenn Woods, Ms. Christine Helwick, and Mr. William Cormier, all representing the University of California. Accompanying me were Ms. Dorothy Thompson and Mr. Steven Aftergood. This conference took place at UCLA on February 9, 1982.
3. At that conference, both parties audiotaped the meeting. This was done with the knowledge and consent of both parties.
4. After the meeting was over, I took into my possession CBG's tapes of the meeting. They have been in my possession since.
5. On April 25, 1982, I provided to Wendy Schnelker, a woman who provides clerical services to CBG, the tapes from the above-mentioned conference and requested that she transcribe certain portions thereof relating to the dispute between Applicant and Intervenor over Intervenor's photographs of Applicant's reactor facility. She did so.
6. The tapes provided to Ms. Schnleker were true and accurate reproductions of the discussions that took place on the record on February 9, 1982.
7. I have, in my possession, clippings from various newspapers showing photographs of the UCLA reactor facility. These include the Santa Monica Evening Outlook of July 3, 1981, the Los Angeles Reader of August 7, 1981, the Los Angeles Times of October 4, 1979, the UCLA Daily Bruin of September 30, 1981, January 31, 1980, and May 30, 1979.
8. I have seen more than half a dozen television news stories about the UCLA reactor, all of which contained footage of the reactor facility. I have videotape copies of several of these news broadcasts.

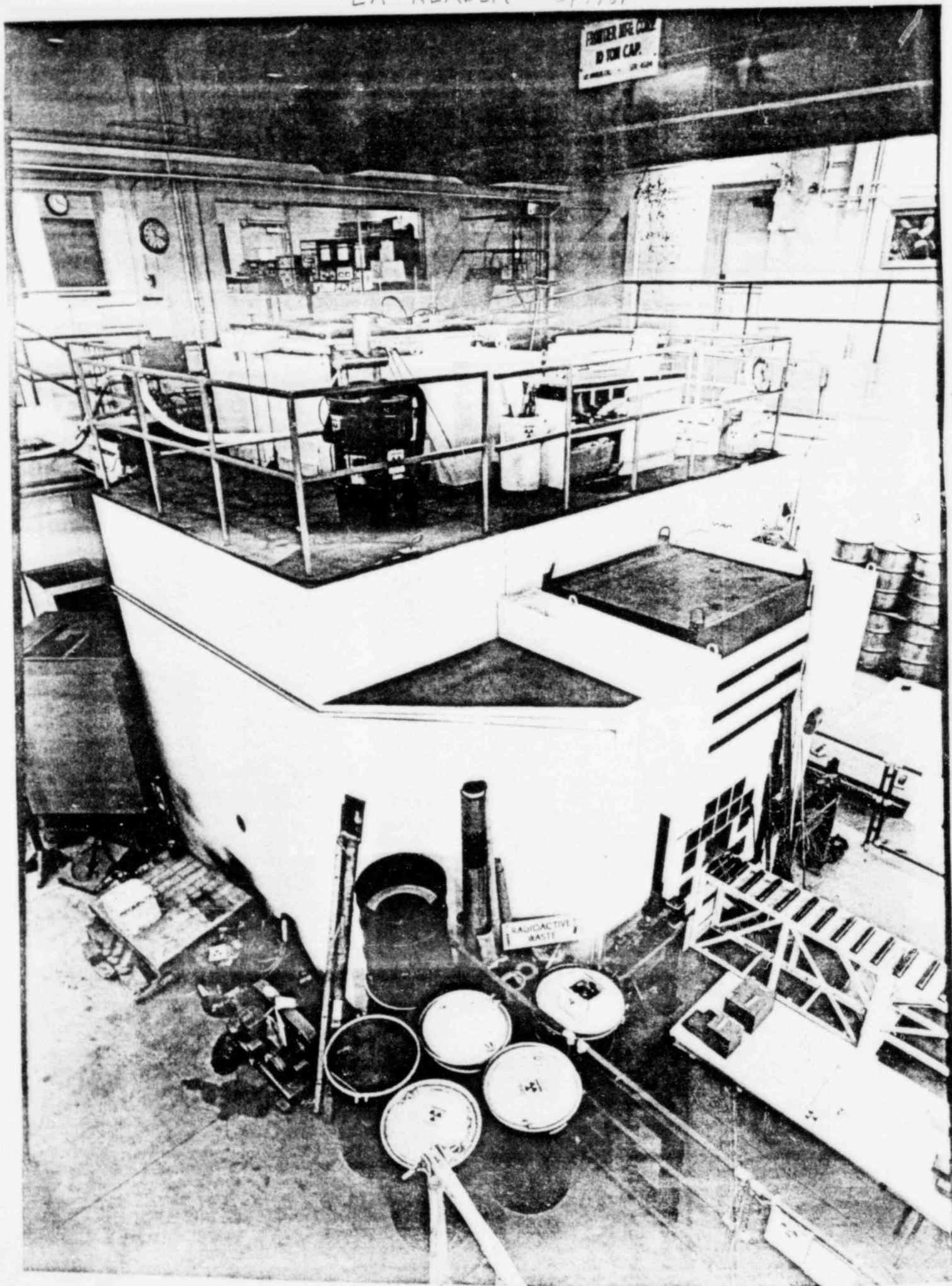
9. On April 23, 1982, one week after issuance of the Board's April 16 Memorandum and Order directing Intervenor and Applicant to report to the Board if they could not agree upon release of certain photographs of the facility, I received several phone calls from Ms. Susan Freedman, a reporter for KCET-TV, the Public Broadcasting Service affiliate in Los Angeles. Among other things, she told me that she had requested being able to film inside the Nuclear Energy Lab at UCLA but was told by NEL staffperson Neill Ostrander that she couldn't. The reason she was given by Mr. Ostrander, she said, was that CBG had a contention that UCLA's security wasn't good enough, and because of the NRC proceeding on their license NEL had to stop permitting media to film inside. She said she was told directly that if they let her film inside, they would have to let CBG do the same, and they didn't want to do that, so she couldn't film inside NEL.

10. I told Ms. Freedman we had been told just the opposite by UCLA--that CBG couldn't have free access to the photos we had taken, and particularly couldn't let the media see them, because UCLA has a supposed recent policy of prohibiting anyone, particularly the media, from taking photos inside NEL. Ms. Freedman told me no, she was told just the opposite--that NEL wouldn't mind the media taking photographs, that what they were worried about was CBG taking photos, and to prevent us from being able they had to prohibit the media as well. Also, because of the security contention, NEL had to--until they got relicensed--take such measures, or else, she was told, CBG would make an issue of it before the Board.

11. I know of my own personal knowledge that Thomas Tugend, public information officer for UCLA, took roughly half a dozen television cameras on a tour of the UCLA reactor on October 3, 1979, because he interrupted a press conference in which I was participating and announced that he would take any media who wished into the reactor facility for filming. At least half a dozen television cameras and some still photographers went; I saw that evening stories on several stations about the reactor.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on April 26, 1982.


Daniel O. Hirsch



ucla daily bruin

Volume CX, Number 4

University of California, Los Angeles

Wednesday, September 30, 1981

Battle over relicensing of reactor hinges on its safety & purposes

By Roxanne O'Neal
Staff Writer

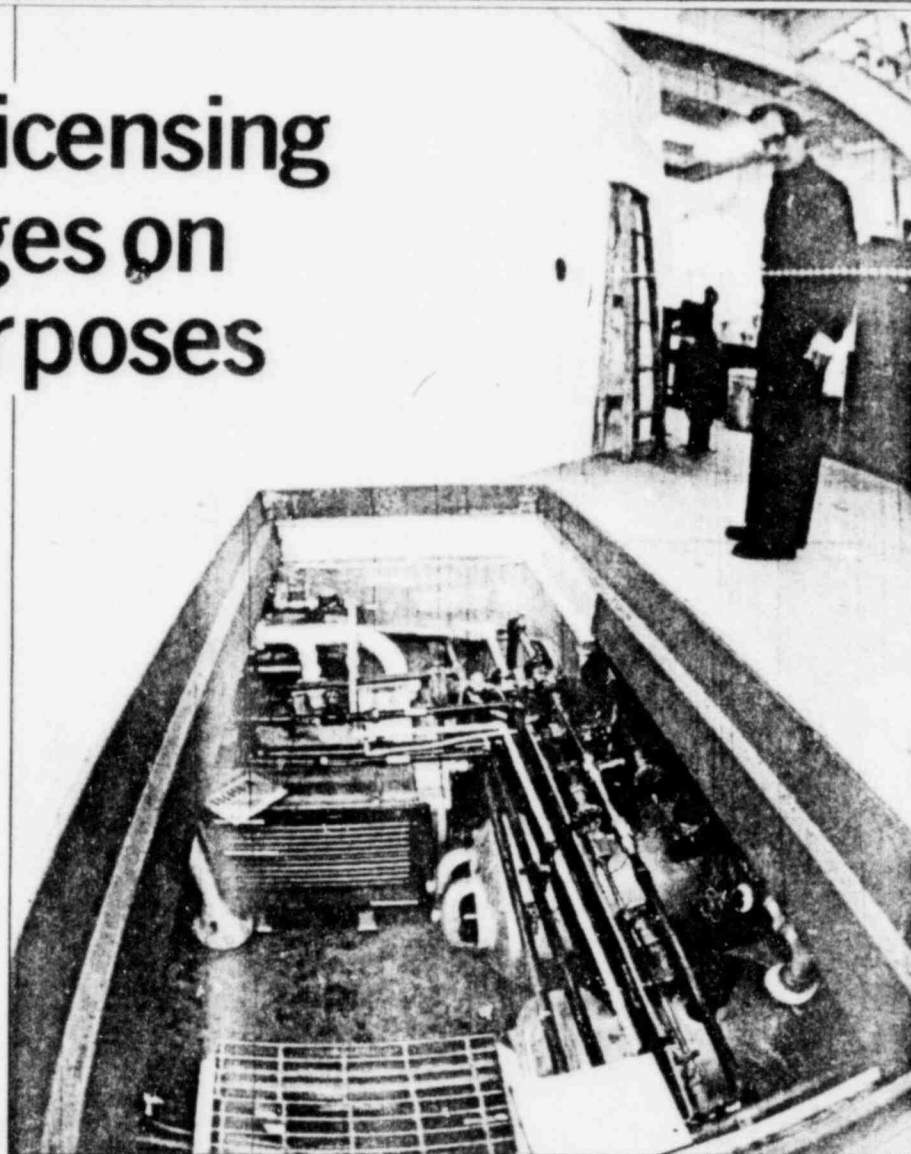
The small nuclear research reactor, standing 10 feet high and 14 feet across, operates six hours a week, 300 hours per year. Ten feet of concrete surrounds the reactor core, and a handful of engineers monitor its use on the first floor of Boelter Hall.

The Argonaut Nuclear Reactor has been operating on campus for 20 years and since its inception, its safety has been questioned. Now it is the object of a relicensing battle.

The UCLA reactor is the first research reactor in California to have its license renewal challenged, and the ruling of the Nuclear Regulatory Commission's Atomic Safety and Licensing Board could affect the five other campus reactors in California.

Opposing the relicensing is the Committee to Bridge the Gap, a 1,200-member, non-profit, educational organization in West Los Angeles.

The NRC has granted Bridge the Gap intervenor status, which enables them to submit legal questionnaires which the NRC must review, and to thus have some bearing on the relicensing. Bridge the Gap has written a 130-page report



eliminate some of Bridge the Gap's contentions. The hearings

Parking scarcer than ever

More demand, less supply add up to problems

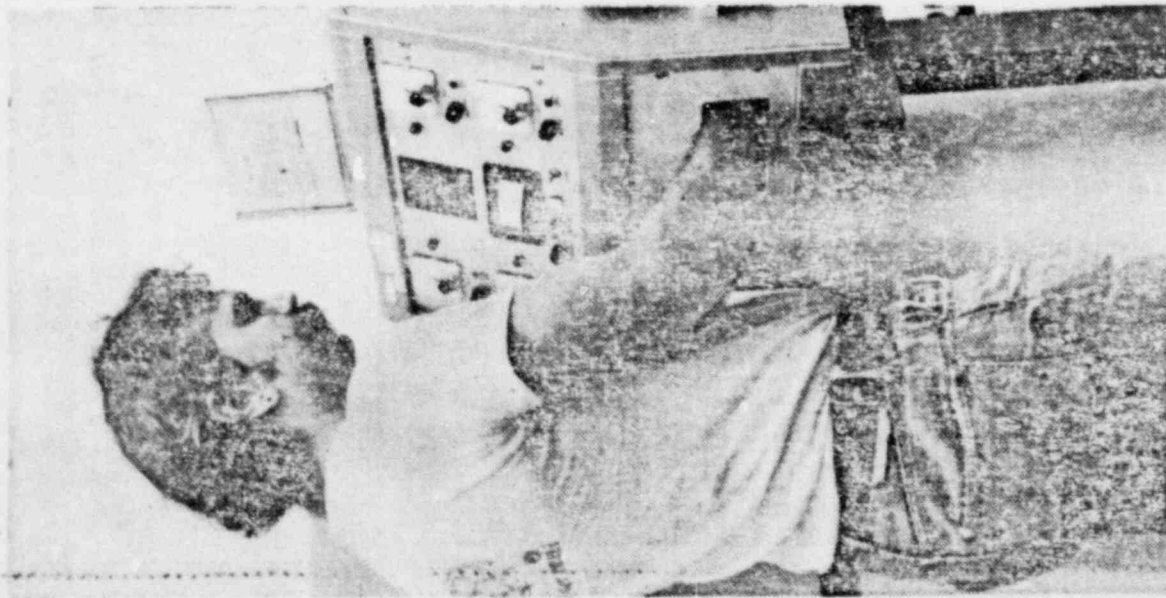
By Ann Kopecky
Senior Staff Writer

The prospects for parking on campus, which have never been bright in the past, have become even dimmer this year and may remain that way.

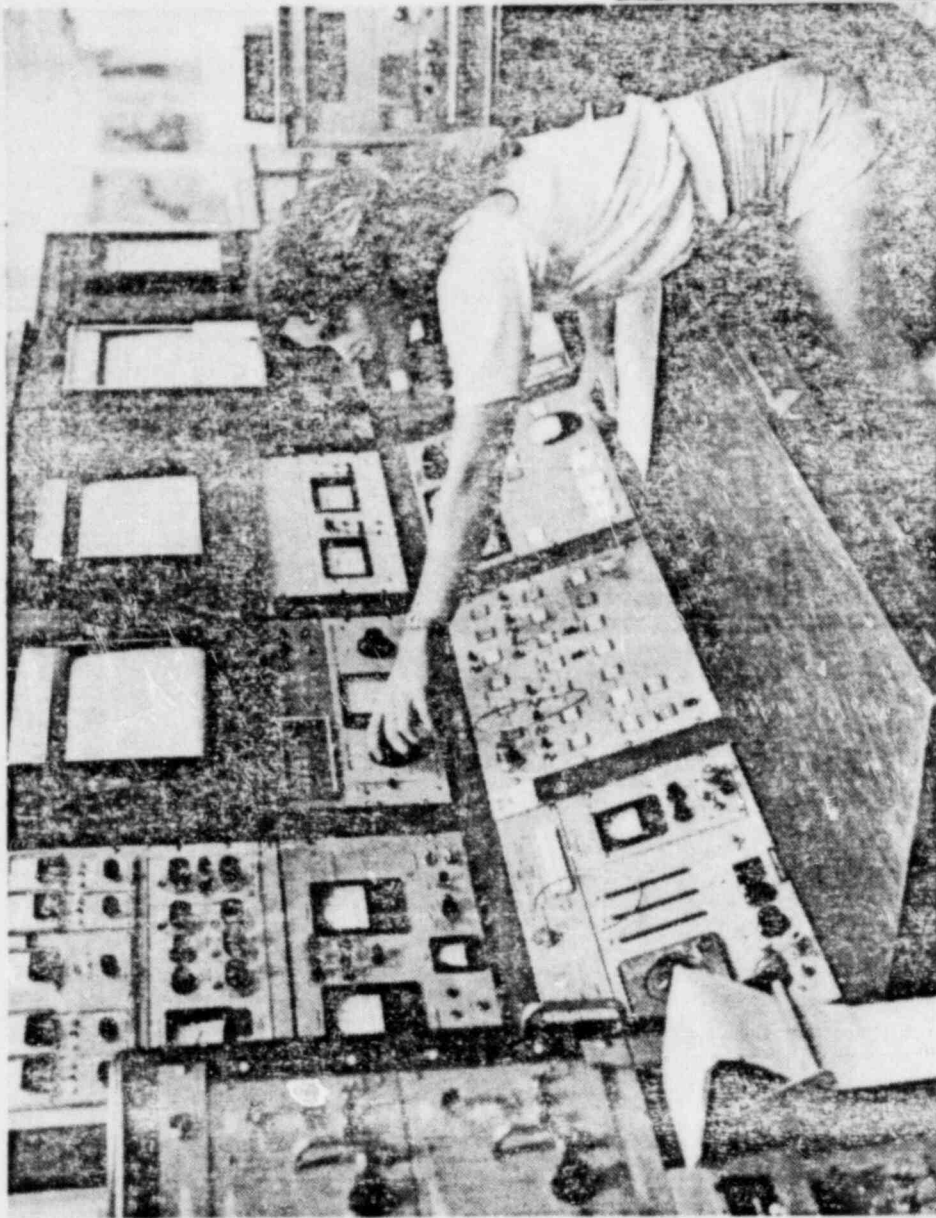
At the end of the second computer run of parking applications, 5,067 commuter students who applied for parking permits were left without one, Campus Parking Service Manager Mary Hook said Monday. Since that computer run, she estimates 1,000 more applications have been submitted.

This year's waiting list for parking permits is the longest it has been during the past five or six years, Hook said. "Applications are up by about 1,000 from last year," she said.

Parking permits are allocated on a point system. Applicants are awarded a predetermined number of points based on where they live, how many



Charles E. Ashbaugh III works with radioactive materials in the Nuclear Energy Lab at UCLA.



KEN DARE / Los Angeles Times
Chemical engineering student Karyn Sime, 22, adjusts power level of UCLA research and training reactor.

Activist Questions UCLA Reactor's Safety

By DAN MORAIN, Times Staff Writer

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(UCLA Research Reactor)

Docket No. 50-142

(Proposed Renewal of
Facility License)

DECLARATION OF SERVICE

I hereby declare that copies of the attached: MEMORANDUM TO THE BOARD AS TO
APPLICANT-INTERVENOR DISAGREEMENTS OVER RELEASE OF INTERVENOR'S PHOTOGRAPHS
and ATTACHMENTS THERETO

in the above-captioned proceeding have been served on the following by
deposit in the United States mail, first class, postage prepaid, addressed
as indicated, on this date: April 26, 1982.

John H. Frye, III, Chairman
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission

Dr. Emmeth A. Luebke
Administrative Judge
Atomic Safety & Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dr. Oscar H. Paris
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

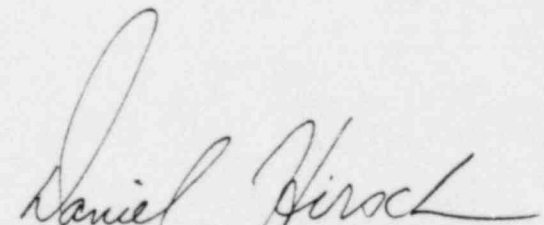
Chief, Docketing and Service Section
Office of the Secretary
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Counsel for NRC Staff
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
attention: Ms. Colleen Woodhead

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590 University Hall
2200 University Avenue
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Mr. John Bay
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Daniel Hirsch
President
COMMITTEE TO BRIDGE THE GAP