

50-142-0L
November 29, 1983

Your Honor:

'83 DEC -5 A10:41

I thought you should see the enclosed article from
today's UCLA Daily Bruin.

If, as UCLA's Cormier says, the staff of the N.R.C.
does not fully understand the technical issues in the
UCLA reactor case, this is indeed cause for concern.

It reminds me of lines I read somewhere long ago:

If a fire starts in water
Who will put out this fire?
If fear comes from the Protector
Who will protect us from this fear?

If the regulatory agency doesn't understand the
technology it is to regulate, where is the concerned but
confused ordinary citizen to turn?

For my part, I tend to agree with CBG's Aftergood who
is quoted as saying that it is "imprudent to allow the
UCLA reactor to continue to operate" while its safety is
unproven.

Sincerely yours,


Jerome Davidson

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Boelter relicensing

Reactor hearings to face delays

By Robina Luther, Staff Writer

Hopes that the UCLA nuclear reactor controversy would be resolved soon were dashed last week when the Nuclear Regulatory Commission's Licensing Board decided to delay the relicensing hearings which had been scheduled to resume today.

Committee to Bridge the Gap, the anti-nuclear group which has been fighting UCLA's reactor relicensing effort for the last three years, will submit a motion in early December requesting that the Boelter Hall reactor be shut down until the NRC board rules whether it is "inherently safe" — that it cannot overheat and release harmful radioactive materials into the atmosphere, a CBG spokesman said.

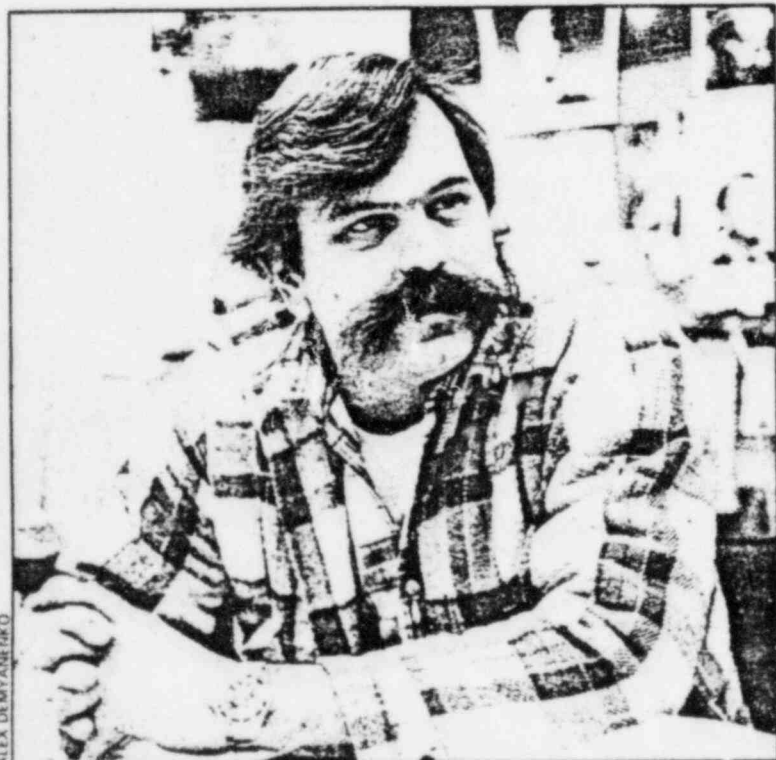
The board had earlier said it would entertain a motion curtailing the reactor's operation if the question of its safety were not resolved by Dec. 10. CBG believes the board will shut down the reactor because "it is imprudent to allow the reactor to continue to operate while these safety questions remain unanswered," CBG spokesman Steve Aftergood said.

UCLA lawyer Bill Cormier said the NRC board does not have the authority to order a reactor shut-down because the board can only curtail operations for proven safety reasons. He added that the Dec. 10 deadline for completion of the inherent safety phase of the hearings was "some sort of incentive" to keep UCLA from delaying the hearings.

Cormier said UCLA was ready to resume the hearings today and blamed postponement of the hearings on CBG because, he said, the group was not prepared to continue its case.

Aftergood said the judges delayed the hearings because CBG presented the board with 50 pages of objections to UCLA's rebuttal testimony, claiming that UCLA's 140 pages of rebuttal testimony is "inappropriate" because it goes beyond the scope of the hearings and introduces material that should have been

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Chuck Ashbaugh

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presented when UCLA originally submitted testimony last summer.

Aftergood said the NRC judges were "furious" with UCLA because of the magnitude of the material submitted as rebuttal testimony. He said it would take CBG two to three weeks to cross examine all of UCLA's rebuttal.

Chuck Ashbaugh, a research engineer at UCLA's nuclear energy lab, defended the amount of testimony submitted, and said UCLA was forced to present a large quantity of rebuttal testimony because during the hearings the judges allegedly accepted testimony from CBG which demonstrated "their misunderstanding of the laws of nature," and UCLA had to counter all the alleged inaccurate testimony in its rebuttal.

"UCLA does not want to lose the UCLA reactor relicensing case, which will set a precedent (for other university research reactors around the country), on some statement that is not true," Ashbaugh said, explaining why each CBG assertion

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UCLA disagrees with must be addressed in the rebuttal testimony.

Aftergood said another cause for the delay was that "UCLA didn't answer the main question the board wanted UCLA to answer — 'How does the reactor shut itself down in the event of a power excursion (a dangerous amount of excess power).'"

Ashbaugh claimed diagrams included in the written testimony UCLA submitted earlier explain how the reactor shuts itself off automatically by releasing the pressurized water, which stops the activity in the reactor.

"We produced a detailed, thorough nuclear engineering analysis which was understood by other nuclear engineers, but wasn't completely understood by the licensing board," Cormier said, defending the university's earlier testimony. Cormier noted that the NRC board chairman is an attorney, not an engineer, and said, "I'm not surprised that he does not understand. We will try to make the presentation simpler."

The next steps in the hearings will include UCLA's supplemental analysis of the reactor's water release process, a response from UCLA on CBG's objections to UCLA's rebuttal testimony, a response to the anticipated CBG motion to shut down the reactor until the hearings conclude, a response from CBG on UCLA's supplemental analysis, and finally, CBG's cross examination of UCLA's rebuttal testimony.

The three licensing board judges will then decide whether UCLA's reactor is "inherently safe," and, barring any other action from CBG, a decision could be reached early next year.