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RELATED CORRESPONDENCE

UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

DOCKETED  
USNRC

ATOMIC SAFETY AND LICENSING BOARD

95 JUN -7 P3:48

Before Administrative Judges:

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Charles Bechhoefer, Chairman  
Dr. Jerry R. Kline  
Dr. Peter S. Lam

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In the Matter of

Docket No. 50-160-Ren

ASLBP No. 95-704-01-Ren

GEORGIA INSTITUTE OF TECHNOLOGY  
RESEARCH REACTOR  
Atlanta, Georgia  
Facility License No. R-97

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GEORGIANS AGAINST NUCLEAR ENERGY  
DISCOVERY FROM NRC AND GEORGIA TECH THROUGH INTERROGATORY,  
PRODUCTION OF DOCUMENTS AND REQUEST TO ENTER AND INSPECT

Georgians Against Nuclear Energy (GANE) respectfully submits the following interrogatories, document production requests and a request to enter and inspect in an effort to discover the truth about the adequacy of security and management at the Georgia Tech Research Reactor to protect human health.

These discovery requests shall be deemed continuing to the extent permitted so as to require Georgia Tech and the NRC to serve GANE supplemental answers if and when further information becomes available between the time the information is given to GANE and the hearing of our contentions that security at the Neely Nuclear Research Center is inadequate for the 1996 Olympic Games to be held in Atlanta and that management of the facility is inadequate to ensure the public's safety.

GANE has contacted the State of Georgia Attorney General's office to pursue developing a protective order under which GANE may examine the security plan for the Georgia Tech Reactor. As advised by Ms. Patricia

DS03

Guilday, Assistant Attorney General, we will submit this request in writing.

We are not using discovery to seek information from Georgia Environmental Protection Division as we are confident this information is available to us under the Georgia Open Records Act, and based on our previous experience of cooperation and openness with the Environmental Protection Division which regulates Georgia Tech's radioactive materials license. We believe the Environmental Protection Division does have significant information to this case.

#### DEFINITIONS

- The term "Neely Nuclear Research Center" will mean the Georgia Tech Research Reactor, the Neely Nuclear Research Center (including cobalt-60 shielding pool and hot cell, sub-critical reactor and inventory, low-level waste building, waste water tanks and all aspects and operations on the site of the reactor and Neely Nuclear Research Center as shown in the diagrams and floor plans included in Georgia Tech Safety Analysis Report for the reactor), and the Cherry Emerson Building which houses cesium-137 one block away from the Neely Nuclear Research Center.
- The terms "Nuclear Regulatory Commission" and "NRC" will be used to mean both the NRC and its predecessor the Atomic Energy Commission.
- Since the NRC retains the ultimate responsibility for Agreement State practice, GANE will not embrace distinctions between NRC and State of Georgia authority over the hazardous materials and activities housed in downtown Atlanta at the Neely Nuclear Research Center. GANE understands that information concerning various inventories of materials and practices at the Neely Nuclear Research Center will be found in different locations.

We have heard there is a precedent for a public document room to be set-up upon the request of a party who does not have access to one otherwise. We make the request here that a public document room be set up in Atlanta at least for the duration of this proceeding.

Following are GANE's various requests for information from Georgia Tech and the NRC to discover information settling the questions surrounding adequacy of security and management at the Neely Nuclear Research Center to preserve the health and safety of the public.

## INTERROGATORIES

GANE requests answers to the following from GEORGIA TECH:

1. What security is now in place for the Neely Nuclear Research Center including but not limited to guards, alarms and camera surveillance?
2. How do you respond to each different type of alarm or threat?
3. What is the response time?
4. Has anyone ever made an attempt to break in and how fast did the police respond?
5. What training do Georgia Tech police have to deal with real sharp terrorists and saboteurs inside and around the Neely Nuclear Research Center?
6. How do you test the present security plan?
7. What scenarios does the security plan for the Neely Nuclear Research Center cover?
8. What is the worst case scenario envisioned in the formation of the present security plan?
9. What is the emergency response plan for each scenario?
10. What is the criteria for notifying the following agencies: campus police, Atlanta Police Department, Fulton County Police Department, Nuclear Regulatory Commission, Georgia Environmental Protection Division, local fire departments?
11. What is the security plan for the 1996 Olympic Games and which agencies or institutions are responsible for its implementation?
12. What drills or tests of the Olympic security plan or other simulated emergency response activities will take place before the 1996 Olympics and what agencies and institutions are responsible for these tests?
13. List an inventory of all radioactive and hazardous materials contained in the Neely Nuclear Research Center, including the number of curies for each radioactive substance listed and exact locations.
14. Where is the spent fuel?
15. Is there a load of fresh fuel on the premises, and if so, where is it?
16. What are Georgia Tech's current plans to switch to low-enriched uranium fuel at the Neely Nuclear Research Center and what effect if any would this change have on the security plan?
17. Describe the Nuclear Safeguards Committee including its functions, when formed and why and to whom it reports.

18. Describe the selection process for the Nuclear Safeguards Committee. Include criteria for membership, nomination process and who is responsible for final selection.
19. List the names of all persons currently serving on the Nuclear Safeguards Committee, including the process by which each person was chosen, by whom each person was nominated and each person's qualifications for the position on the committee.
20. Describe the Radiation Protection Committee, including its functions, when it was formed, when it was dissolved, and why it was dissolved.
21. List the names of all persons who formerly served on the Radiation Protection Committee, including, for each person listed, the dates of service, position held, last known telephone number and address and whether they at any time ever served on the Nuclear Safeguards Committee and when such service took place.
22. List the names of all persons who formerly served on the Nuclear Safeguards Committee, including their dates of service and qualifications, position held, last known telephone number and address.
23. Describe any changes to the function and responsibility of the Nuclear Safeguards Committee during its history. What was the rationale for changes made?
24. Describe, with specificity, the event which took place at the Neely Nuclear Research Center on March 23, 1995, involving the cobalt-60 shielding pool. Include all response actions taken, naming each person involved and their respective positions, including their department, agency or institution.
25. Describe, with specificity, the measures and actions taken to correct the problem which caused the event involving the cobalt-60 pool on 3/23/95.
26. What was the basis for firing two highly specialized health physicists - Steve Millspaugh and Paul Sharpe in February 1988?
27. List the people from 1980 to present who have held the position of Radiation Safety Officer or equivalent, their experience level, qualifications and reasons for leaving.
28. What is the security plan for a truck bomb?
29. How many campus police are sent in response to alarm activation?
30. How does the security plan provide against arson?
31. Is there an alarm that is activated by radiation levels?
32. How many times has the cobalt-60 pool water level dropped?
33. How many times has the alarm on the cobalt-60 pool been activated?

34. What is the evaporation rate of the cobalt-60 pool?
35. Describe, with specificity, for what contract work and purposes the cobalt-60 is used. Include all contract work and specific projects from 1980 to the present.
36. Describe, with specificity, for what contract work and purposes the cesium-137 is used. Include all contract work and specific projects from 1980 to the present.
37. Describe, with specificity, for what contract work and purposes the reactor is used. Include all contract work and specific projects from 1980 to the present, accounting for all time logged in State of Georgia records.

INTERROGATORIES

GANE requests answers to the following from the NUCLEAR REGULATORY COMMISSION:

1. Was the dissolution of the Radiation Protection Committee authorized by the NRC, and, if so, what was the basis for the authorization?

REQUEST FOR PRODUCTION OF DOCUMENTS

GANE requests that GEORGIA TECH produce copies of the following documents:

1. Entire security plan for the Neely Nuclear Research Center
2. Preamble to security plan for Neely Nuclear Research Center
3. Amendments to security plan for Neely Nuclear Research Center, 1964-Present
4. Special security plan for Neely Nuclear Research Center for 1996 Olympic Games
5. All correspondence to date, and continuing, related to development and all phases of security plan for Neely Nuclear Research Center, including but not limited to Federal Bureau of Investigation, Central Intelligence Agency, Georgia Bureau of Investigation, Georgia Emergency Management Agency, Federal Emergency Management Agency, National Guard, Alcohol Tobacco and Firearms, City of Atlanta Police, Fulton County Police, Georgia State Patrol, Atlanta Olympic Committee, International Olympic Committee, Georgia Tech campus security, City of Atlanta Fire Department, Fulton County Fire Department, William James Ray's office, Department of Energy, Department of Defense, Nuclear Regulatory Commission, Georgia Environmental Protection Division
6. All Georgia Tech campus police audit records, inspection reports and test records pertaining to Neely Nuclear Research Center
7. All audits, inspection reports and test records of Georgia Tech campus security, both internal and independent
8. Georgia Tech campus police security log from 1980 to present
9. Minutes from all meetings (1964 to present) of Georgia Tech Nuclear Safeguard Committee and Radiation Protection Committee
10. All correspondence, 1964 to present, between Neely Nuclear Research Center and Georgia Tech administration concerning security at Neely Nuclear Research Center
11. All correspondence, 1964 to present, between Neely Nuclear Research Center and Georgia Tech campus security concerning security at Neely Nuclear Research Center
12. All internal correspondence, 1964 to present, within Neely Nuclear Research Center concerning facility security
13. All documents related to protection of Neely Nuclear Research Center from truck bombs



14. All correspondence which was shared, traded or exchanged between Atlanta, Georgia Tech, State of Georgia or NRC officials and local hospitals or medical clinics relating the actions and precautions to be taken in the event of a nuclear accident, including any data involving radiation poisoning and the hospitals' and medical clinics' response
15. Campus police logs and Neely Nuclear Research Center logs for all alarm activations and responses (1964 to present)
16. All documents relating to March 23, 1995, incident where alarm activated from water level drop in cobalt-60 pool
17. Entire emergency response plan for Neely Nuclear Research Center
18. Any and all Georgia Tech employee manuals that relate to employee responsibilities during emergency response situations at the Neely Nuclear Research Center, including but not limited to employees of the Neely Nuclear Research Center and campus police
19. All Georgia Tech campus police reports and records which refer to activities and/or security breaches at Neely Nuclear Research Center from 1980 to present
20. All internal reports, memoranda and other correspondence generated by Neely Nuclear Research Center staff relating to any security breaches or in response to any alarms or other security alert mechanisms from 1980 to present
21. All documents generated in both planning and evaluation of any drills, evacuation plans or other such simulated emergency response activities designed to test the adequacy and efficacy of the current security plan for the Neely Nuclear Research Center
22. All documents relating to changes in the existing security plan for the Neely Nuclear Research Center as a result of Georgia Tech's intended change from high-enriched uranium fuel to low-enriched uranium fuel
23. All records related to the division of authority/responsibility between the State of Georgia and the NRC with regard to the safety requirements at the Neely Nuclear Research Center from 1964 to present
24. Records showing the complete inventory of radioactive and hazardous materials at the Neely Nuclear Research Center including their original locations, current ownership and regulating authority
25. Records instructing employees of Georgia Tech how to implement and apply Georgia Tech's rules for evacuating the Neely Nuclear Research Center and issuing an emergency alert to the surrounding community



26. All insurance inspections, reports, and audits concerning Neely Nuclear Research Center
27. Dr. Ratib A. Karam's resume or curriculum vitae at time of hiring (1983 - 1984)
28. All documents which describe the criteria for nominations and selections for membership on the Nuclear Safeguards Committee
29. All resumes or curriculum vitae for all persons currently serving on the Nuclear Safeguards Committee
30. All documents generated for the purpose of authorizing each person currently serving on the Nuclear Safeguards Committee
31. Entire personnel files, including resumes, performance reviews and reasons for termination, from 1964 to present, for all radiation safety officers, health physicists (or equivalent) and all other staff employed at the Neely Nuclear Research Center
32. Entire personnel file for Dr. Ratib A. Karam
33. All documents, logs, manifests and other bills of lading relating to the transport of hazardous and radioactive materials and wastes, including heavy water, to and from the Neely Nuclear Research Center from 1964 to present
34. Mission statement for the Neely Nuclear Research Center and/or Georgia Tech Research Reactor
35. Detailed records of all financial resources (income) for the Neely Nuclear Research Center, including but not limited to, contracts, grants, endowments, State of Georgia appropriations, Federal appropriations, Department of Energy, Department of Defense, Georgia Environmental Protection Division, Savannah River Site, Westinghouse, General Electric, Tennessee Valley Authority, Oak Ridge, Georgia Power Company, Duke Power Company, Coca-Cola Company, and other universities and colleges
36. All annual reports for Neely Nuclear Research Center, 1964 to present
37. All audit reports on Neely Nuclear Research Center relating to safety matters, management matters, or financial matters
38. Records describing the steps necessary to decommission the Neely Nuclear Research Center, including responsible entities, where the radioactive material is planned to be shipped, containment systems to be used, shipping methods, and associated costs
39. All correspondence of Georgia Tech to NRC responding to violations cited or noted in NRC Inspection Reports from 1980 to present
40. Blueprints re design and construction of containment building as provided the NRC on or about 10/22/93

41. All records relating to AGN-201 reactor and fuel elements
42. Georgia Tech's response to NRC request for information on sewer line condition dated 11/4/94
43. All documentation relating to the firing of Steve Millsbaugh and Paul Sharpe in 2/88 beyond that included in personnel files
44. All records of communication between Neely Nuclear Research Center and local fire authorities concerning arson or emergency response to fire
45. All logs concerning the specific usage of the reactor. Also provide logs for the cobalt-60 and cesium-137.
46. All contracts relating to work done by the Neely Nuclear Research Center for any and all entities which required the use of the reactor.
47. All contracts relating to work done by the Neely Nuclear Research Center for any and all entities which required the use of the cobalt-60.
48. All contracts relating to work done by the Neely Nuclear Research Center for any and all entities which required the use of the cesium-137.

REQUEST FOR PRODUCTION OF DOCUMENTS

GANE requests that the NUCLEAR REGULATORY COMMISSION produce copies of the following documents:

1. Transcript of Prehearing Conference held in Atlanta January 31 - February 2, 1995
2. Inspection Report #50-160-94-05 on 12/12-14/94
3. Inspection Report #50-160-94-04 on 10/19-21/94
4. Request for additional info to determine condition of sewer line dated 11/4/94
5. Deficiency report dated 10/31/94
6. Inspection Report #50-160-94-03 on 9/13/94
7. Inspection Report #50-160-94-02 on 8/17-25/94
8. Notice of Violation from inspection on 8/17-25/94 dated 9/20/94
9. Safety report dated 7/27/94
10. NRC correspondence to Georgia Tech dated 7/22/94 re when Savannah River Site can accept high-enriched fuel from Georgia Tech
11. Emergency Preparedness Plan for Neely Nuclear Research Center dated 4/19/94
12. Correspondence from Georgia Tech to NRC dated 4/15/94 re Downs resignation
13. Inspection Report #50-160-94-01 on 3/9-10/94
14. Correspondence, NRC to Georgia Tech, 3/1/94, summary of management meeting
15. Correspondence, Georgia Tech to NRC, 2/18/94, reportable occurrence, Downs
16. Memo dated 2/10/94 notifying NRC of significant meeting between Georgia Tech and utility(?) on safety and training issues
17. Meeting confirmation from NRC dated 2/10/94
18. Inspection Report #50-160-93-03 on 11/2-5/93
19. Inspection Report #50-160-93-02 on 9/23-30/93
20. Notice of Violation dated 11/01/93
21. Correspondence Georgia Tech to NRC dated 10/12/93 re tech spec violation on monitoring frequency
22. Correspondence forwarding info from NRC to Georgia Tech on or about 9/14/93
23. Inspection Report #50-160-93-01 on 3/11-12/93
24. Inspection Report #50-160-92-04 on 11/9-10/92
25. Notice of Violation dated 12/10/92
26. Correspondence NRC to Georgia Tech dated on or about 4/29/92 confirming meeting and agenda

27. Correspondence Georgia Tech to NRC dated 3/3/92 re JC O'Hara resignation
28. Inspection Report #50-160-91-04 on 9/17-19/91
29. Amendment to License revising administrative controls dated 6/11/91
30. Changes to physical security plan dated 4/16/91
31. Correspondence NRC to Georgia Tech dated 4/4/91 authorizing review of security information
32. Correspondence Georgia Tech to NRC dated 3/15/91 concerning Olympic security
33. Inspection Report #50-160-91-01 on 1/23-24/91 (entire)
34. License amendment application dated 2/5/91
35. Correspondence NRC to Georgia Tech dated 1/31/91 re management meeting
36. Inspection Report #50-160-90-04 on 9/19-20/90
37. Correspondence NRC to Georgia Tech dated 9/18/90 re continued monitoring of operations at Neely Nuclear Research Center
38. Decommissioning Report for Georgia Institute of Technology submitted 7/17/90
39. Inspection Report #50-160-90-02 on 6/12-14/90
40. Notice of Violation from inspection on 6/12-14/90 dated 7/11/90
41. Correspondence NRC to Georgia Tech dated 5/31/90 re revisions to security plan
42. Revised physical security plan submitted by Georgia Tech 2/27/90
43. Correspondence 1/29/90 NRC to Georgia Tech re upgrades to physical security plan to provide against nonpower reactor sabotage
44. Modification to security plan dated 1/3/90
45. Inspection Report #50-160-89-04 on 9/25-29/89
46. Inspection Report #50-160-89-02 on 7/31-8/2 & 8/9-10/89
47. Notice of Violation dated 11/16/89
48. Inspection Report #50-160-89-05 on 9/14-15,18-19,27/89 (entire)
49. Notice of Violation dated 10/25/89
50. Correspondence Georgia Tech to NRC dated 9/28/89 re audit of security plan
51. Correspondence NRC to Georgia Tech dated 8/28/89 documenting information received from concerned individual
52. Correspondence NRC to Georgia Tech dated 2/9/89 re confidentiality release
53. Notice of Violation dated 12/29/88
54. Inspection Report #50-160-88-02 on 8/29-9/9 & 11/7-10/88
55. Inspection Report #50-160-87-08 on 12/16/87

56. Notice of Violation and Proposed Imposition of Civil Penalty dated 11/15/88
57. Inspection Report #50-160-88-03 on 9/8-9/88
58. Notice of Violation dated 10/19/88
59. Correspondence NRC to Georgia Tech dated 10/11/88 re enforcement conference 9/19/88
60. Correspondence Georgia Tech to NRC dated 9/19/88 re managerial changes
61. Investigation Report # 2-88-003
62. Correspondence NRC to Georgia Tech dated 7/18/88 re problems in management controls etc.
63. Operating License Amendment re AGN-201 reactor dated 7/12/88
64. Correspondence NRC to public citizen dated 6/17/88 re 5/20/88 enforcement conference
65. Correspondence NRC to Georgia Tech dated 6/16/88 re summary of management meeting
66. Inspection Report #50-160-88-01 on 3/17-18 & 4/6-11/88
67. Report of Visit to Georgia Tech Research Reactor Facility to Inspect Facilities and to Interview Operation Staff by W. Kerr, 3/29/88
68. Correspondence NRC to Georgia Tech dated 3/28/88 re management meeting
69. Incident Report of Cadmium Spill on 8/18/87
70. Confirmatory Order prohibiting resumption of reactor operation dated 3/17/88
71. Application for Amendment dated 3/1/88 for U-235
72. Inspection Report #50-160-87-08 12/16/87-1/4-5 & 14-22/88
73. Correspondence NRC to Georgia Tech dated 2/8/88 re enforcement conference
74. Correspondence Georgia Tech to NRC dated 1/22/88 re smear surveys and survey Downs apartment
75. Inspection Report #50-160-87-07 on 9/3-4/87 (missing SNM)
76. Correspondence Georgia Tech to NRC dated 9/15/87 re unaccounted for fission plate for AGN-201
77. Correspondence Georgia Tech to NRC dated 7/6/87 re organizational change
78. Inspection Report #50-160-87-04 on 4/22-23/87
79. Inspection Report #50-160-87-05 on 4/22-23/87 (entire)
80. Inspection Report #50-160-87-03 on 4/7-10/87
81. Correspondence NRC to Georgia Tech dated 4/24/87 re management control

- 82. All other Notices of Violation from 1964 to present (print-out from NRC Public Document Room may not be complete)
- 83. All records, reports, correspondence, internal memoranda, and other authored by, submitted by, signed by, pertaining to NRC Region II Inspector Rebecca Long as relates to the Neely Nuclear Research Center
- 84. All Inspection Reports since 12/15/94
- 85. All Notices of Violation since 12/15/94
- 86. Order to Show Cause Why Authority to Possess Highly Enriched Uranium Should Not Be Suspended dated 9/27/85
- 87. PNO-II-83-009 on 1/31/83 re cobalt-60 shielding pool leak
- 88. Any correspondence with Georgia Tech concerning Bill Downs
- 89. All documents in UCLA Training Reactor Docket #50-142P relating to security and Olympic security

PERMISSION TO ENTER AND INSPECT

GANE requests permission from GEORGIA TECH to enter and inspect the Neely Nuclear Research Center's physical security system with an independent security consultant and an independent electrical engineer to inspect the alarm system, intrusion alarms and how they are set.



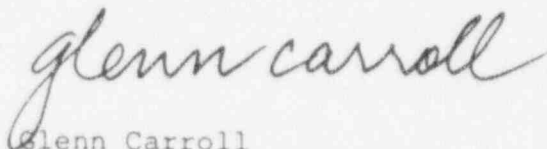
The aforementioned requests for discovery of the historic record of operations at the Neely Nuclear Research Center are made with restraint and need for the information contained within. In accordance with the Atomic Safety & Licensing Board's Order of May 10, 1995, responses to GANE's requests for information are required to be filled on or before July 7, 1995.

Time remains of the essence in resolving this issue. GANE believes that the cheapest and only certain way of protecting the Olympics and Atlanta from radiological sabotage is to remove all radioactive materials as rapidly as possible.

It may interest the parties to know that a federal government booklet on terrorism (available where Volumes I and II of Title 10 of the Code of Federal Regulations is sold!) portrays the incident at the Olympic Village of the Munich Games as the first instance of modern terrorism. It goes on to list terrorism as a psychological weapon foremost among the perceived aims of terrorists.

We implore all the parties to cooperate towards ensuring the Neely Nuclear Research Center becomes NO THREAT to the Olympic Games in July 1996.

Respectfully submitted,

A handwritten signature in cursive script that reads "Glenn Carroll".

Glenn Carroll

Representative for GANE

Dated and signed June 5, 1995  
in Decatur, Georgia

CERTIFICATE OF SERVICE - Docket No. (s) 50-160-REN

DOCKETED  
USNRC

Secretary  
U.S. Nuclear Regulatory Commission  
Docketing and Service Branch  
Washington, DC 20555

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Office of Commission Appellate Adjudication  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

OFFICE OF SECRETARY  
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