

Three Embarcadero Center, Suite 2300
San Francisco, California 94111
March 14, 1984

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John H. Frye, III, Chairman
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Glenn O. Bright
Administrative Judge
Atomic Safety and Licensing Board
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

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

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

NOTIFICATION TO THE LICENSING BOARD

Dear Administrative Judges:

In light of the affirmative duty of all parties and staff to keep the Board advised of significant changes and developments relevant to these proceedings, Virginia Electric & Power Co., (North Anna Power Stations, Units 1 and 2), CLI-76-22, 4 NRC 480, 491 at N. 11 (1976); Duke Power Co., (Alvin W. Vogtle Nuclear Plant, Units 1 and 2), ALAB-291, 2 NRC 404, 408 (1975); Duke Power Co. (William B. McGuire Nuclear State, Units 1 and 2), ALAB 143, 6 AEC 623, 625-26 (1973), we feel compelled to notify the Board of the following significant developments.

At a press conference on March 9, 1984 UCLA Chancellor Charles E. Young announced that the UCLA reactor was currently shut down for repairs and would remain shut down

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through the Olympics and possibly thereafter. The current shutdown is the result of a violation of the technical specifications involving the control blades, the correction of which we understand will require unloading of the fuel and entry into the core. The technical specification violations necessitating shutdown were first brought to CBG's attention, and presumably the Board's attention, by William Cormier's letter dated March 2, 1984, post marked March 5, 1984, (which, incidentally, was not served on the full service list) enclosing Walter Wegst's February 13, 1984 letter notifying NRC staff of the control blade problem. According to NRC Region V, the problem was discovered as a result of rod drop tests conducted on February 2, 1984, and was reported by telephone on February 6, 1984, several days prior to the site visit and reactor tour by the Licensing Board and me at the close of the prehearing conference on February 9, 1984.

These new developments are extremely significant to these proceedings for several reasons. Currently, the University is the subject of a show cause order as to why sanctions including suspension of license, should not be imposed. Furthermore, CBG has pending before the Board a motion to curtail operations at the facility due to excessive delays in these proceedings. With the remedy of curtailment and suspension being before the Board, the shutdown of the reactor at this time is very significant. At least until after the Olympics are over and the repairs are completed, shutdown is no sanction at all. Thus, the issue should be restart rather than curtailment, and the Board should now require that the safety and security of the facility be affirmatively proven by the Applicant prior to reloading the fuel and bringing the reactor back up.

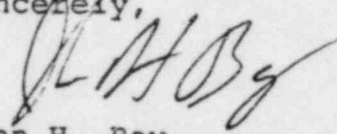
Additionally, a central issue in the safety hearings is the configuration of the core, the deflector plates and the voiding space for the water moderator. The opening of the reactor core to repair the control blade problem represents an opportunity for all parties, their experts and the Board to examine the core region and determine first-hand where, if anywhere, the moderator water can escape during a power excursion. Indeed, the Board should not allow the core to be opened nor any maintenance, adjustments or alterations to be made to the core region until the Board and the parties have had an opportunity to conduct an onsite inspection.

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Chancellor Young's announcement is also significant because it is being touted as a security measure for the Olympics. In fact, we believe that the shutdown does not significantly reduce the consequences of sabotage at the facility, and an expeditious resolution of the security issues is still necessary.

Finally, we must note our dismay in light of all parties' affirmative duty to keep the Board apprised of significant developments, and in light of recent developments in this proceeding, that the Board and parties were not informed of the shutdown and control blade problems in a timely fashion.

Sincerely,



John H. Bay
Nuclear Law Center
Attorneys for Committee to
Bridge the Gap

JHB:bh

cc: Service list